



Fiscal Year 2016 Request for Applications

Funding Opportunity Number:

Application Due Date: *11:59 PM Eastern Time on May 12, 2016*

Program Solicitation Information

Funding Opportunity Title:

Funding Opportunity Number:

Announcement Type:

Catalog of Federal Domestic Assistance (CFDA) Number:

Dates:

Executive Summary:

Highlights and Changes for 2016

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1.0 FUNDING OPPORTUNITY DESCRIPTION

1.1 LEGISLATIVE AUTHORITY

The Farmers Market Promotion Program (FMPP) is a component of the Farmers Market and Local Food Promotion Program (FMLFPP), authorized by the Farmer-to-Consumer Direct Marketing Act of 1976, as amended ([7 U.S.C. 3005](#)).

1.2 PURPOSE

To increase domestic consumption of and access to locally and regionally produced agricultural products, **and** to develop new market opportunities for farm and ranch operations serving local markets, **by**

- developing, improving, expanding, and providing outreach, training, and technical assistance to domestic farmers markets, roadside stands, community-supported agriculture (CSA) programs, agritourism activities, and other direct producer-to-consumer market opportunities, **or**
- assisting in the development improvement and expansion of domestic farmers markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities.

1.2.1 LOCAL OR REGIONAL FOOD

A food product that is raised, produced, aggregated, stored, processed, and distributed in the locality or region where the final product is marketed to consumers, so that the total distance the product is transported is at most 400 miles from the origin of the product, or both the final market and the origin of the product are within the same State, territory, or tribal land.

1.3 PROJECT TYPES

FMPP offers both **Capacity Building** and **Community Development, Training, and Technical Assistance** projects. An eligible entity may submit more than one application type for competitive review. However, FMPP will make only one Federal award per eligible applicant under this 2016 Request for Applications.

All projects must show targeted/intended economic impact.

1.3.1 CAPACITY BUILDING

Capacity Building (CB) projects are intended to assist applicants in the development, improvement, and expansion of domestic farmers markets, roadside stands, CSA programs, agritourism activities, and other direct producer-to-consumer market opportunities. CB projects should demonstrate a direct benefit to farm and ranch operations serving local markets (including new and beginning farmers) and maximize the involvement of farmers and ranchers and community organizations. Projects can include, but are not limited to:

- Local farmer, rancher, or manager (i.e., farmers market manager) training and education.

- Farmers market, roadside stand, CSA, or agritourism activity startup and/or expansion.
- Market analysis and planning for a direct producer-to-consumer market opportunity.
- Recruitment and outreach to new and beginning farmers and consumers of direct producer-to-consumer market opportunities.

1.3.2 COMMUNITY DEVELOPMENT, TRAINING, AND TECHNICAL ASSISTANCE

Community Development, Training, and Technical Assistance (CTA) projects are intended to support applicants' efforts to provide outreach, training, and technical assistance to farm and ranch operations serving local markets and other interested parties for developing, improving, and expanding of domestic farmers markets, roadside stands, CSA programs, agritourism activities, and other direct producer-to-consumer market opportunities. CTA projects should engage a diverse set of local and regional foods stakeholders, including farmers and ranchers, to illustrate a substantive effect on the local and regional food system and stakeholders. Projects can include, but are not limited to:

- Statewide or regional farmer, rancher, or manager (i.e., farmers market manager) training and education.
- Assisting farmers and ranchers in advertising and promoting their locally and regionally produced agricultural products through technical assistance.
- Producer-to-consumer network and organization building on a state, regional, and national level, which includes efforts to develop sourcing channels using direct-to-consumer market opportunities with corporate, non-profit, and public institutions.
- Technical support for small- and mid-sized producers to become compliant with local, state, federal, and/or industry specifications and standards in order to increase their direct-to-consumer market opportunities.

1.3.3 PROJECTS/ACTIVITIES NOT ELIGIBLE FOR FUNDING

Projects are not eligible for FMPP funding if the proposed activities:

- Are not related to producer-to-consumer direct marketing.
- Are for production- related expenses, including the purchase of farm equipment, tools, materials, supplies and other related costs.
- Depend on the purchase or lease-to-own purchase of a vehicle—vehicles can be leased, but not leased-to-own or purchased (see [section 4.7.3](#)).
- Benefit only one farm vendor or individual.
- Depend upon a critical component (such as land and structures) not in place at the time of application submission (see [section 4.3.10](#)).
- Depend upon the completion of another project or the receipt of another grant.
- Duplicate activities in a project that has received a Federal award from another Federal award program, including the activities of another current FMLFPP project.

1.4 PRIORITY AREAS

Priority consideration will be given to projects that benefit communities located in areas of concentrated poverty with limited access to supermarkets, and projects that involve Promise Zone Lead Applicant Organizations. FMPP will award at least 10 percent of its total funding to these projects.

FMPP does not require that submitted projects be implemented in designated priority areas or involve Promise Zone partnerships. All applications, whether requesting consideration under the priority areas or not, will be given equal consideration in the evaluation process. Promise Zone projects will be evaluated equally during the peer review process as well, but will receive five priority points added to the final score provided by reviewers.

1.4.1 LOW INCOME/LOW FOOD ACCESS

To be considered a limited access priority area, the project's implementation address must be in a low income/low food access (LI/LA) census tract as defined by the USDA. "Implementation address" refers to the street address or census tract location within the targeted community (LI/LA census tract) at which the applicant plans to conduct or deliver approved project activities.

The applicant is required to provide their census tract(s) for at least one LI/LA address (priority area). If your organization or business is located in and/or primarily serves at least one LI/LA community (as defined by one of the four major map layers on the [ERS Food Access Research Atlas map](#)), your application will be considered under this priority area. Further information on how to provide the required information can be found in the [4.3 Content and Form of Application Submission](#) and the [Project Narrative](#).

1.4.2 PROMISE ZONE(S)

For applicants partnering with Promise Zone Lead Applicant Organizations, identify the specific [Promise Zone](#) area in which your project activities will be implemented. Then, include with your application, the [Housing and Urban Development \(HUD\) Promise Zone Certification Form](#), signed by the Promise Zone Official authorized to certify that the project meets the qualifying criteria. Further information on how to provide the required information can be found in [4.3 Content and Form of Application Submission](#) and the [Project Narrative](#).

For more information on current Promise Zones, visit the U.S. Department of Housing and Urban Development Website: <https://www.hudexchange.info/programs/promise-zones/>.

2.0 AWARD INFORMATION

2.1 TYPE OF FEDERAL ASSISTANCE

FMPP will use a Grant Agreement to provide a Federal award to successful FMPP applicants.

2.2 TYPE OF APPLICATIONS

New application. All new applications will be reviewed competitively using the selection process and evaluation criteria described in [5.0 Application Review Information](#).

Continuation application. These applicants have received a previous FMLFPP grant such as previous FMPP or LFPP grant. Such applications must contain the same information as required for new applications, but must also provide information, via the Project Narrative form regarding how the newly proposed project will build on the previous activities. Continuation applications will be evaluated according to the same evaluation criteria as new applications, in addition to the applicant’s performance during the previous FMFLPP grants and their apparent ability to improve upon that work.

2.3 AVAILABLE FUNDING

Approximately \$13 million will be available to fund applications in fiscal year 2016.

2.4 FEDERAL AWARD PERIOD DURATION

The official performance period must begin on September 30, 2016. Both CB and CTA FMPP projects are awarded for up to 36 months (3 years) and are expected to be completed by September 29, 2019.

FMPP encourages potential recipients to complete their projects within the required timeframe. It is acceptable to complete a project before the scheduled performance period end date, however FMPP encourages applicants to take the full grant period of 3 years to complete their projects. The applicant must indicate the start date and end date on Block 17 of the SF-424 “Application for Federal Assistance”.

2.5 AWARD SIZE

2.5.1 CAPACITY BUILDING (CB)

Minimum grant award is \$50,000. Maximum award is \$250,000.

2.5.2 COMMUNITY DEVELOPMENT, TRAINING, AND TECHNICAL ASSISTANCE (CTA)

Minimum grant award is \$250,000. Maximum award \$500,000.

3.0 ELIGIBILITY INFORMATION

3.1 ELIGIBLE APPLICANTS

All applicants must be domestic entities owned, operated, and located within the 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Eligible applicants include:

Entity Type	Description
Agricultural Businesses	Business entities that provide, hold, deliver, transport, offer, or sell agricultural products or services.

Entity Type	Description
Agricultural Cooperatives	Group-owned or member-owned entities or businesses that provide, offer, or sell agricultural products or services for the mutual benefit of their members.
Producer Networks	Producer group- or member-owned organizations or businesses that provide, offer, or sell agricultural products or services through a common distribution system for the mutual benefit of their members.
Producer Associations	Organizations or other businesses that assist, represent, or serve producers or producer networks.
Community Supported Agriculture (CSA) Networks	Formal groups of farms that work collectively to offer consumers regular (usually weekly) deliveries of locally-grown farm products during one or more harvest season(s) often on a subscription or membership basis. Customers have access to a selected share or range of farm products offered by the group of farmers based on partial or total advance payment of a subscription or membership fee.
CSA Associations	Organizations or other businesses that assist, serve or represent CSAs or CSA networks.
Local Governments	Any unit of government within a state, including a county; borough; municipality; city; town; township; parish; local public authority, including any public housing agency under the United States Housing Act of 1937; special district; school district; intrastate district; council of governments, whether or not incorporated as a nonprofit corporation under state law; and any other agency or instrumentality of a multi-, regional, or intra-state or local government.
Nonprofit Corporations	Any organization or institution, including nonprofits with State or IRS 501 (c) status and accredited institutions of higher education, where no part of the net earnings of which inure to the benefit of any private shareholder or individual.
Public Benefit Corporations	Corporations organized to construct or operate a public improvement, the profits from which inure to the benefit of a State(s) or to the people thereof.
Economic Development Corporations	Organizations whose missions are to improve, maintain, develop and/or market or promote a specific geographic area.
Regional Farmers Market Authorities	Entities that establish and enforce regional, State, or county policies and jurisdiction over State, regional, or county farmers markets. State agencies are eligible if the State’s regulatory statutes identify the specific State agency as a regional farmers market authority. For example, the state of Alabama has a Farmers Market Authority that is

Entity Type	Description
	identified through the Alabama Administrative Code .
Tribal Governments	Governing bodies or governmental agencies of any Indian tribe, band, nation, or other organized group or community (including any native village as defined in Section 3 of the Alaska Native Claims Settlement Act, 85 Stat. 688 (43 U.S.C. § 1602)) certified by the Secretary of the Interior as eligible for the special programs and services provided through the Bureau of Indian Affairs.

3.2 PARTNERS AND COLLABORATORS

Applicants are required to show evidence of existing community support and engagement. FMPP will not award grant funds for projects that solely benefit one individual or entity.

Support may come from public or private, nonprofit or for-profit entities, including but not limited to:

- New and beginning farmers and ranchers (individuals or entities that have not operated a farm or ranch for more than 10 years and substantially participate in the operation);
- Academic institutions;
- Community-based organizations;
- Local government entities;
- [Promise Zone](#) lead applicant/organization or implementation partners; and
- USDA [StrikeForce](#) (www.usda.gov/strikeforce) area coordinators.

Only the applicant must meet the eligibility requirements. Project partners and collaborators need not meet these eligibility requirements.

3.3 LIMIT ON NUMBER OF APPLICATIONS

An applicant may submit multiple FMPP project proposals. If selected for multiple awards, applicants will only receive one FMPP award under this 2016 Request for Applications. This means you may receive one CB or one CTA grant, but not one of each during the 2016 award cycle. Program staff will contact the applicant to discuss the situation, if applicable.

An applicant may submit project proposals to both FMPP and LFPP. If selected for both awards, applicants may accept one FMPP and one LFPP award under the 2016 Request for Applications. Program staff will contact the applicant to discuss the situation, if applicable.

Fiscal sponsors/agents may apply for an FMPP award. By doing so, the sponsor/agent accepts all financial and legal liabilities for that organization at the time the award is made. In the case of FMLFPP applications, fiscal sponsors/agents would submit the application as the applicant organization, and the Authorized Organizational Representative responsible for all grant decisions would be an employee of the fiscal sponsor/agent. An applicant organization cannot accept an award and later transfer the award to a fiscal sponsor/agent.

An organization that currently has an active (not closed-out) grant award from a previous year may apply for another FMPP or LFPP grant if the project is a new project, not a continuation of the previous award activities. If the proposed project will continue the previous award activities from 2015, the applicant must complete all work by March 31, 2016, and submit the final report to FMPP staff by June 30, 2016, prior to receiving another FMPP or LFPP award.

AMS will evaluate the highest scoring applications to ensure there is no duplication of funding between LFPP and FMPP and base final funding decisions on this information and communicate any issues to recipients if applicable.

3.4 COST-SHARING AND MATCHING

FMPP does not require a cost-share or match.

3.5 PERFORMANCE MEASURES

Each applicant must report (provide benchmarks and estimated targets) on all of the outcomes and indicators below in the Project Narrative, with the exception of Outcome 4, which is only applicable to projects that have a food safety component. These outcomes and indicators are the same for both LFPP and FMPP because they are two components of FMLFPP. If an applicant is unable to report on an indicator below an outcome, the applicant should explain why they are unable to report on that outcome indicator in the Project Narrative. If an applicant receives an award, they will be required to report on the applicable outcomes and indicators in Annual and Final Performance Reports.

The applicant is also required to develop at least one project-specific outcome(s) and indicator(s) in the Project Narrative and must explain how data will be collected to report on each applicable outcome and indicator.

OUTCOME 1: TO INCREASE CONSUMPTION OF AND ACCESS TO LOCALLY AND REGIONALLY PRODUCED AGRICULTURAL PRODUCTS.

Indicators

1. Of the [insert total number of] consumers, farm and ranch operations, or wholesale buyers reached,
 - a. The number that gained knowledge on how to buy or sell local/regional food OR aggregate, store, produce, and/or distribute local/regional food
 - b. The number that reported an intention to buy or sell local/regional food OR aggregate, store, produce, and/or distribute local/regional food
 - c. The number that reported buying, selling, consuming more or supporting the consumption of local/regional food that they aggregate, store, produce, and/or distribute
2. Of the [insert total number of] individuals (culinary professionals, institutional kitchens, entrepreneurs such as kitchen incubators/shared-use kitchens, etc.) reached,
 - a. The number that gained knowledge on how to access, produce, prepare, and/or preserve locally and regionally produced agricultural products

- b. The number that reported an intention to access, produce, prepare, and/or preserve locally and regionally produced agricultural products
- c. The number that reported supplementing their diets with locally and regionally produced agricultural products that they produced, prepared, preserved, and/or obtained

OUTCOME 2: INCREASE SALES AND CUSTOMERS OF LOCAL AND REGIONAL AGRICULTURAL PRODUCTS.

Indicator

- 1. Sales increased from \$_____ to \$_____ and by _____ percent ($\frac{n \text{ final} - n \text{ initial}}{n \text{ initial}} (100) = \% \text{ change}$), as result of marketing and/or promotion activities during the project performance period.
- 2. Customer counts increased from [insert total number of] to [insert total number of] customers and by _____percent ($\frac{n \text{ final} - n \text{ initial}}{n \text{ initial}} (100) = \% \text{ change}$) during the project performance period.

OUTCOME 3: DEVELOP NEW MARKET OPPORTUNITIES FOR FARM AND RANCH OPERATIONS SERVING LOCAL MARKETS.

Indicators

- 1. Number of new and/or existing delivery systems/access points of those reached that expanded and/or improved offerings of:
 - a. _____farmers markets.
 - b. _____roadside stands.
 - c. _____community supported agriculture programs.
 - d. _____agritourism activities.
 - e. _____other direct producer-to-consumer market opportunities.
 - f. _____local and regional Food Business Enterprises that process, aggregate, distribute, or store locally and regionally produced agricultural products.
- 2. Number of local and regional farmers and ranchers, processors, aggregators, and/or distributors that reported:
 - a. an increase in revenue expressed in dollars: _____
 - b. a gained knowledge about new market opportunities through technical assistance and education programs: _____
- 3. Number of:
 - a. new rural/urban careers created (Difference between "jobs" and "careers": jobs are net gain of paid employment; new businesses created or adopted can indicate new careers): _____
 - b. jobs maintained/created: _____
 - c. new beginning farmers who went into local/regional food production: _____
 - d. socially disadvantaged famers who went into local/regional food production: _____
 - e. business plans developed: _____

OUTCOME 4: IMPROVE THE FOOD SAFETY OF LOCALLY AND REGIONALLY PRODUCED AGRICULTURAL PRODUCTS.

Indicator(s) – Only applicable to projects focused on food safety.

1. Number of individuals who learned about prevention, detection, control, and intervention through food safety practices: _____
2. Number of those individuals who reported increasing their food safety skills and knowledge: _____
3. Number of growers or producers who obtained on-farm food safety certifications (such as Good Agricultural Practices or Good Handling Practices): _____

4.0 APPLICATION AND SUBMISSION INFORMATION

4.1 OBTAINING AN APPLICATION PACKAGE

Applicants must apply for the FMPP at www.Grants.gov and can find the opportunity under either the CFDA number “10.168,” or the FMPP Funding Opportunity Number “USDA-AMS-TM-FMPP-G-16-0002.”

4.2 APPLICATION CHECKLIST

The application checklist below provides the required, conditionally required, and optional documents for an application package.

FMPP requires that **all application packages** include the following:

- SF-424 – Application for Federal Assistance (Grants.gov) (Requires DUNS number and SAM.gov registration, which must be completed prior to submitting an application in Grants.gov. Refer to [section 4.8.1.](#))
- SF-424A – Budget Information – Non-Construction Programs (Grants.gov)
- SF-424B – Assurances for Non-Construction Programs (PDF)
- Project Narrative (limited to no more than 15 pages, excluding existing Project Narrative form content) (MS Word)
- Letters of Commitment from Partner Organizations (PDF or MS Word)
- Accounting System and Financial Capability Questionnaire (PDF)

When applicable, application packages may be required to include the following documents:

- AD-3030 – Representations Regarding Felony Conviction and Tax Delinquent Status for Corporate Applicants (Grants.gov)
- AD-3031 – Assurance Regarding Felony Conviction or Tax Delinquent Status for Corporate Applicants (Grants.gov)
- HUD Form 50153 Promise Zone Certification Form (PDF)

- Letter(s) Stating Evidence of Critical Resources and Infrastructure (PDF or MS Word)
- Negotiated Indirect Cost Rate Agreement (PDF)

The SF-424, SF-424B, SF-424A, AD-3030, and AD-3031 are available through Grants.gov. All other documents must be prepared outside of Grants.gov, then uploaded under SF-424 item #15. Select the “Add Attachments” button (**do NOT use the “paperclip” icon in Adobe**) and follow the instructions on the form.

4.3 CONTENT AND FORM OF APPLICATION SUBMISSION

4.3.1 SF-424 APPLICATION FOR FEDERAL ASSISTANCE

Required. The SF-424 is available via the FMPP opportunity at Grants.gov. Most information blocks on the required form are either self-explanatory or are adequately explained in the instructions. However, for FMPP applications, you must use the following supplemental instructions associated with specific blocks on form SF-424.

Block	Instructions
#1 Type of Submission	Application
#2 Type of Application	New or Continuation
#4 through #7	Not required
#8c Organizational DUNS	Applicant DUNS# for the Organization submitting the application. See D&B Request a DUNS Number . NOTE: Applicants that apply for an FMPP grant must be capable of managing and monitoring federal funds and project activities and outcomes. Recipients <u>cannot</u> transfer the award to another recipient organization once a grant is awarded (you may not apply under one DUNS number and switch to another later). Refer to 4.8.2, <i>a. DUNS Requirement</i> of this RFA.
#8d Address	Enter the organization street address as it appears in SAM.gov. P.O. Boxes will not be accepted. Enter a 9-digit zip code.
#10 Name of Federal Agency	AMS, USDA
#11 Catalog of Federal Domestic Assistance Number	10.168
#12 Funding Opportunity Number	USDA-AMS-TM-FMPP-G-16-0002
#13 Competition Identification Number	Not applicable
#14 Areas Affected by Project	Enter cities, counties, states affected by project
#15 Descriptive Title of Applicant’s Project	Provide a short description of the project
#16a Congressional Districts for Applicant	Enter the Congressional district where your main office is located.
#16b Congressional Districts for Program/Project	Enter the Congressional district where your project will be implemented. Write “All” if the projects will be implemented in more than one location.

#17 Proposed Project Start Date and End Date	CB and CTA projects begin September 30, 2016, and should be completed by no later than September 29, 2019.
#18a Estimated Funding - Federal	Total FMPP funds requested.
#18b Estimated Funding - Applicant	Not applicable
#19 Is Applicant Subject to Review by State Under Executive Order 12372 Process?	This initiative is subject to intergovernmental review . Consult this website (https://www.whitehouse.gov/omb/grants_spoc) to determine applicability in your State.

4.3.2 SF-424A BUDGET INFORMATION – NON-CONSTRUCTION PROGRAMS

Required. The SF-424A is available via the opportunity at Grants.gov. Most information blocks on the required form are either self-explanatory or adequately explained in the instructions. However, the following supplemental instructions associated with specific blocks on form SF-424A should be used for FMPP applications. **Do not** use instructions found in Grants.gov or elsewhere on the internet.

Please fill in **ONLY** sections A and B. (**Do not** complete sections C, D, E and F)

Section A- Budget Summary

Row	Column	Instructions
1.	(a) Grant Function or Activity	Type “FMPP-Federal” (This title will copy to column 1 on the next page.)
1.	(b) Catalog of Federal Domestic Assistance Number:	Type “10.168”
1.	(e) Federal	Include the entire amount of funds requested from the Federal government to complete the proposed project. Note: The 1.(g) total is a prepopulated formula that will automatically calculate the total amount of this line.
5. Totals	(e), (f), and (g)	All of the boxes in this row have a prepopulated formula.

Section B- Budget Categories

Row	Column	Instructions
6., a. through j.	(1)	Enter the total amounts of each Object Class Category for which you are requesting <u>federal funds</u> . See 4.7.1 Indirect Costs .
6., k.	(1) & (5)	All of the boxes in this question have a prepopulated formula. You should have totals in columns (1) and (5). Important: Verify that totals in <i>Section B 6.(5)k.</i> and <i>Section A 5.(g)</i> are the same.
7.	(1) Program Income	Enter the estimated amount of income, if any, expected to be generated from this project. There is a pre-populated formula in box 7.(5).

4.3.3 SF-424B ASSURANCES FOR NON-CONSTRUCTION PROGRAMS

Required. The SF-424B is available via the FMPP opportunity at Grants.gov. This form must be signed by the Authorized Organizational Representative (AOR).

4.3.4 PROJECT NARRATIVE

Required. FMPP requires each applicant to prepare a narrative using the [Project Narrative](#) form. This form and instructions are on the FMPP website: <http://www.ams.usda.gov/services/grants/fmpp>.

All applicants must complete the form as a **Microsoft Word document**. DO NOT CONVERT TO PDF! Handwritten applications will not be accepted. The narrative must be typed, single-sided, single-spaced, in an 11-point font, not to exceed fifteen (15) 8.5 x 11 pages (excluding existing Project Narrative content). For example, if the Project Narrative form is 12 pages before you begin entering your project information into the form, your narrative may be up to 27 pages (12 pages + 15 pages). Save and submit the narrative in its current MS Word format (.doc, .docx). The supporting documents listed below do not count against the 15-page limit. Prior to submitting your application to Grants.gov, make sure that it is in final form (e.g. if you used the “track changes” function, accept all changes before submitting so that the mark-up is not visible upon final submission).

In the Budget Justification section of the Project Narrative, provide a justification of projected costs included on the SF-424A, Budget Information – Non-Construction Programs.

4.3.5 LETTERS OF COMMITMENT FROM PARTNER ORGANIZATIONS

Required. Applicants must provide letters of commitment (in MS Word or PDF) from all partner organizations stating they agree to the project management plan presented in the Project Narrative. The “Commitment from Partner Organization” letters are different than the matching form letters, in that they illustrate general community support for the project rather than simply showing financial/activity support.

AMS has posted [A SUGGESTED PARTNER ORGANIZATION TEMPLATE LETTER](#) on the FMPP application website. We highly-encourage you to use this template. If you do not use this template, your letter must minimally include the following:

- Project Applicant
- Project Title
- A short introduction describing the partnering organization’s mission and its interest in FMPP development.
- What the organization commits to participating in and supporting.
- The time period of the partnership
- Roles of the participating individuals, as applicable, and any individual time commitment.
- A statement these individuals and the organization agree to abide by the management plan contained in the application.

Submit *Letters of Commitment* on letterhead and address them to the FMPP Applicant (i.e Project Director). Clearly indicate at the top of the documents that they are **PARTNER ORGANIZATION LETTERS**. Letters must accompany the proposal at the time of application. Unsigned letters will not be accepted.

PLEASE NOTE: FMPP does not require Congressional letters of support nor do they carry any weight during the evaluation process.

4.3.6 ACCOUNTING SYSTEM AND FINANCIAL CAPABILITIES QUESTIONNAIRE

Required. Applicants must maintain adequate accounting systems that meet the criteria outlined in 2 CFR §200 [Standards for Financial and Program Management](#). AMS uses the [Accounting System & Financial Capability Questionnaire](#) to assess your risk in handling Federal funds. This form is available on the FMPP website and must be submitted in PDF with final signatures.

4.3.7 AD-3030, REPRESENTATIONS REGARDING FELONY CONVICTION AND TAX DELINQUENT STATUS FOR CORPORATE APPLICANTS

Required if the applicant is a corporation. A corporation includes, but is not limited to, any entity that has filed articles of incorporation in one of the 50 States, the District of Columbia, or the U.S. territories. Corporations can include both for-profit and non-profit entities. AD-3030 is a self-certification form. It is the responsibility of the applicant to determine if the AD-3030 needs to be completed and submitted.

The applicant must submit the version of the form in Grants.gov. Most information blocks on the required form are self-explanatory; however, FMPP is providing further clarification below.

Block	Instructions
#1 Applicant’s Name	Enter the name of the individual or authorized representative that is submitting the application on behalf of the applicant organization.
#2 Applicant’s Address	Enter the address of the applicant organization.
#3 Tax ID No.	Enter the last four digits of the applicant organization’s Tax Identification number.
#4A, 4B, 4C Questions	<p>Address these questions by checking the Yes or No boxes.</p> <p>For question 4B, see below for what is meant by “acting on behalf of.”</p> <p>If the action of the official or agent resulted in a benefit to the corporation, then the official or agent was “acting on behalf” of the corporation. If the action of the official or agent resulted in a benefit to the official or agent, then the official or agent was not acting on behalf of the corporation.</p>
#5A Applicant’s Signature (By)	The individual or authorized representative that is submitting the application on behalf of the applicant organization must sign the form.
#5B Title/Relationship of the Individual if Signing in a Representative Capacity	Enter the title of the individual or authorized representative that is submitting the application on

	behalf of the applicant organization.
#5C Date Signed	Date the form

4.3.8 AD-3031, ASSURANCE REGARDING FELONY CONVICTION OR TAX DELINQUENT STATUS FOR CORPORATE APPLICANTS

Required if the applicant is a corporation. A corporation includes, but is not limited to, any entity that has filed articles of incorporation in one of the 50 States, the District of Columbia, or the U.S. territories. Corporations can include both for-profit and non-profit entities.

The applicant must submit the version of the form in Grants.gov. The AD-3031 is a self-certification form. It is the responsibility of the applicant to determine if the AD-3031 needs to be completed and submitted.

4.3.9 HOUSING AND URBAN DEVELOPMENT (HUD) PROMISE ZONE CERTIFICATION FORM

Required if proposal involves a Promise Zone Implementation Partner. If the proposal involves a [Promise Zone Implementation Partner](#), the [HUD Promise Zone Certification Form](#) must accompany the proposal at the time of application. [This form is also available on the FMPP website](#). Unsigned forms will not be accepted.

4.3.10 EVIDENCE OF CRITICAL RESOURCES AND INFRASTRUCTURE

Required if critical resources and/or infrastructure are necessary for the completion of the proposed project. Applicants are required to submit evidence (as PDFs or MS Word) that critical resources and infrastructure that depend on the initiation and completion of a project are in place at the time of proposal submission. Land, structures, and other critical resources must be in place and committed prior to submitting an application to FMPP. The letter must indicate the critical resources that are necessary for initiation and completion of the project and certify that they are in place and committed prior to the start date of the project.

AMS has posted [A SUGGESTED EVIDENCE OF CRITICAL RESOURCES AND INFRASTRUCTURE TEMPLATE LETTER](#) on the FMPP application website. We highly-encourage you to use this template. If you do not use this template, your letter must minimally include the following:

- Project Applicant
- Project Title
- A statement about committing/approving/granting permission, etc. of the critical resource or infrastructure to the project for the time period
- Describe the approved use of the critical resource or infrastructure approved for the project, any costs associated with its use, and any qualifying circumstances for its use.

Submit Evidence of Critical Resources and Infrastructure on letterhead and address them to the FMPP Applicant (i.e Project Director). Clearly indicate at the top of the documents that they are **EVIDENCE OF CRITICAL RESOURCES AND INFRASTRUCTURE**. The evidence must accompany the proposal at the time of application. PLEASE NOTE: Do not include letters of support in place of this document.

4.3.11 NEGOTIATED INDIRECT COST RATE AGREEMENT (NICRA)

Required if the applicant's budget requests more than 10 percent de minimis rate. Please refer to [4.7.1 Indirect Costs](#) for more information. The NICRA must be in PDF format.

4.4 SUBMITTED APPLICATION QUALIFICATION

Your application will not be accepted if it:

- Is received by Grants.gov after the submission deadline.
- Is submitted via any method other than through www.Grants.gov.
- Is incomplete. This includes proper uploading of all required attachments (use the “Add Attachments” button under SF-424 item #15—do NOT use the “paperclip” icon in Adobe).
- Does not follow the requirements for formatting, length, and submission.
- Does not fit the scope of the FMPP.

AMS will also not accept an application (after submission or prior to award) if FMPP confirms that:

- An applicant or recipient has not fulfilled all the terms and conditions of a previous Federal award.
- An applicant or recipient has committed fraud, including inclusion of materially misleading or incorrect information on the application (such as misrepresentation of DUNS registration or false identity statements).
- An applicant or recipient has mismanaged Federal funds.
- The FMPP proposal is funding the same activities as another Federal grant program.
- An applicant is found to be ineligible for a Federal award.

AMS will use the Federal Do Not Pay system, SAM.gov, and the Federal Awardee Performance and Integrity Information System (FAPIIS) to verify that applicants are in good standing.

If AMS anticipates that the total Federal share of the FMPP award will be greater than the simplified acquisition threshold (currently \$150,000 - see [2 CFR §200.88](#) Simplified Acquisition Threshold) over the grant period of performance:

- AMS will review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see [41 U.S.C. 2313](#));
- The applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered;
- AMS will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards.

4.5 SUBMISSION DATE AND TIME

The deadline for submitting FY 2016 applications is 11:59 pm Eastern Time, May 12, 2016. Applications must be submitted electronically through Grants.gov. Ensure that all components of the application are complete before submission. Allow enough time for the application process, as it may take more than one attempt before your application is successfully submitted. AMS suggests that you plan to submit your application at least 2 weeks prior to the application deadline to ensure all certifications and registrations are met. Only applications submitted and validated by 11:59 pm EDT on May 12, 2016, to Grants.gov will be accepted—deadline extensions will not be considered. [See Section 4.8.1.](#)

4.6 INTERGOVERNMENTAL REVIEW

FMPP is subject to [Executive Order 12372](#), “Intergovernmental Review of Federal Programs.” Refer to https://www.whitehouse.gov/omb/grants_spoc.

4.7 FUNDING RESTRICTIONS

4.7.1 INDIRECT COSTS

Indirect costs (also known as “facilities and administrative costs”—defined at [2 CFR §200.56](#)) represent the expenses of doing business that are not readily identified with a particular grant, contract, project function or activity, but are necessary for the general operation of the organization and the conduct of activities it performs.

As stated in the regulations ([2 CFR §200.413](#) and [414](#)), any recipient that has never received a negotiated indirect cost rate (except State and Local Government and Indian Tribe Indirect Cost Proposals), may elect to charge a de minimis rate of 10 percent of modified total direct costs which may be used indefinitely. As described in [2 CFR §200.403](#), costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a recipient chooses to negotiate for a rate, which the recipient may apply to do at any time.

Most FMPP applicants will fall under the 10 percent de minimis rate. To calculate the rate, use this formula:

$$\text{Projected Direct Costs (\$)} * \text{Maximum Indirect Cost Rate Allowed (\%)} = \text{Highest Possible Indirect Costs (\$)}$$

$$\text{Projected Direct Costs (\$)} + \text{Maximum Indirect Costs (\$)} = \text{Requested Federal Funds (\$)}$$

Capacity Building Example

$$\$227,273 * 10\% = \$22,727$$

$$\$227,273 + \$22,727 = \$250,000$$

Using this formula based on this example, an applicant who has \$227,273 in direct costs could have up to \$22,727 in indirect costs, and a total of \$250,000 as “Federal Funds Requested.”

Community Development, Training, and Technical Assistance Example

$$\$454,546 * 10\% = \$45,454$$

$$\$454,546 + \$45,454 = \$500,000$$

Using this formula based on this example, an applicant who has \$454,546 in direct costs could have up to \$45,454 in indirect costs, and a total of \$500,000 as “Federal Funds Requested.”

Direct charging of these costs may be appropriate where the following conditions are met:

1. Administrative or clerical services are integral to a project or activity;
2. Individuals involved can be specifically identified with the project or activity;
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency; and
4. The costs are not also recovered as indirect costs.

If an applicant has a negotiated indirect cost rate greater than the 10 percent de minimis rate, the applicant must submit a copy of their approved *Indirect Cost Rate Proposal* along with their application to substantiate the organization’s request to establish an indirect cost rate above 10 percent. If an applicant chooses to negotiate for a rate, the applicant must contact their cognizant. The cognizant agency is determined by calculating which Federal agency provides the most grant funding. For assignments of cognizant agencies see the following:

- (a) For Institutions of Higher Education (IHEs): [Appendix III to Part 200](#)—Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Institutions of Higher Education, paragraph C.11.
- (b) For nonprofit organizations: [Appendix IV to Part 200](#)—Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Nonprofit Organizations, paragraph C.12.
- (c) For state and local governments: [Appendix V to Part 200](#)—State/Local Government-wide Central Service Cost Allocation Plans, paragraph F.1.
- (d) For Indian tribes: [Appendix VII to Part 200](#)—States and Local Government and Indian Tribe Indirect Cost Proposal, paragraph D.1.

4.7.2 SUBAWARD RESTRICTION

The applicant is expected to perform the major portion of the project, however, subawards or subcontracts with partners, collaborators, and/or other parties that provide additional knowledge, expertise, or resources for the purposes of the proposed project that are not otherwise available within the applicant organization are allowable. Using grant funds to competitively “re-grant” in mini-grant programs or similar endeavors is unallowable.

4.7.3 ALLOWABLE AND UNALLOWABLE COSTS AND ACTIVITIES

The following information discusses allowable and unallowable costs in common FMPP proposal budget categories. This section is not intended to be all-inclusive. The applicant should reference [Subpart E-Cost Principles of 2 CFR part 200](#) for the complete explanation of the allowability of costs. Applicants that have questions concerning the allowability of costs after reviewing the associated cost should contact FMPP.

Item	Description
Buildings and Land - Construction	<p><i>Unallowable</i> for the acquisition of buildings, facilities, or land or to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations of an existing building or facility (including site grading and improvement, and architecture fees). This also includes construction and construction-related materials, which may include, but are not limited to the purchase of building materials such as wood, nails, concrete, asphalt, roofing, gravel, sand, paint, insulation, drywall, or plumbing.</p> <p><i>Allowable</i> for rental costs of land. However, lease agreements to own (i.e., lease-to-own or rent-to-own) are not allowable. The lease or rental agreement must terminate at the end of the grant cycle.</p> <p>A <i>building</i> is any permanent structure designed or intended for support, enclosure, shelter or protection of people, animals or property having a permanent roof supported by columns or walls.</p> <p>Greenhouses and hoop houses are <i>unallowable</i>.</p>
Conferences	<p><i>Unallowable</i> if the project solely consists of conference/workshop costs as defined in 2 CFR 200.432. A conference must be part of a larger project. The applicant should clearly indicate the purpose and target audience for any conference or workshop, and explain how the activity will be funded. Also indicate if registration fees will be collected and if so, show the fees as program income on the SF-424A and Project Narrative form.</p> <p><i>Allowable</i> to rent a building or room for training; however, where appropriate, AMS encourages the use of technologies such as webinars, teleconferencing, or videoconferencing as an alternative to renting a building or a room. If renting a building or a room is necessary, the most cost-effective facilities such as State government conference rooms should be utilized.</p> <p><i>Unallowable</i> for meal costs (breakfast, lunch and dinner) unless the applicant justifies that to do so would otherwise impose arduous conditions on the continuity of a meeting and its participants. Breakfasts for conference attendees are usually considered unallowable as it is expected that individuals will have sufficient time to dine on their own before the conference begins.</p> <p><i>Allowable</i> for meals consumed while in official travel status. They are considered per diem expenses.</p>
Contingency Provisions	<p><i>Unallowable</i> for miscellaneous and similar rainy-day funds for events the occurrence of which cannot be foretold with certainty as to the time or</p>

Item	Description
	intensity, or with an assurance of their happening. <i>Unallowable</i> for working capital for activities/items not already in place.
Contributions or Donations	<p><i>Unallowable</i> for contributions or donations, including cash, property, and services, made by the recipient to other entities.</p> <p><i>Unallowable</i> to purchase food or services to donate to other entities and/or individuals.</p>
Electronic Benefit Transfer (EBT) Machines	<p><i>Unallowable</i> for the purchase/lease of Supplemental Nutrition Assistance Program (SNAP) EBT equipment.</p> <p>The USDA Food and Nutrition Service (FNS) has existing funding to expand the availability of SNAP EBT equipment and services at farmers markets to the Farmers Market Coalition (FMC) and State SNAP agencies. Please review the below options to determine which is most appropriate for your purpose.</p> <ul style="list-style-type: none"> • FMC provides SNAP-authorized farmers markets and direct marketing farmers. You can find more information at http://farmersmarketcoalition.org/programs/freesnapebt/. • State SNAP agencies offer free SNAP EBT equipment to newly authorized farmers markets and direct marketing farmers. Contact your State's SNAP agency or farmers market association to learn more.
Entertainment Costs	<p><i>Allowable</i> for costs related to the project. Entertainment costs as defined in 2 CFR 200.438 must not represent all or a majority of the project costs.</p> <p><i>Unallowable</i> entertainment costs include amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sporting events and gratuities), regardless of their apparent relationship to project objectives.</p>
Equipment	<p><i>Unallowable</i> for acquisition costs of general purpose equipment.</p> <p><i>Allowable</i> for rental costs of general purpose equipment. Vehicles may be leased, but not purchased. The lease or rental agreement must terminate at the end of the grant cycle.</p> <p><i>Unallowable</i> for equipment lease agreements to own (i.e., lease-to-own or rent-to-own).</p> <p><i>Unallowable</i> for the purchase of trucks that are commercially available for rent. An example of an unallowable truck purchase includes a refrigerated truck that</p>

Item	Description
	<p>can be rented as-is (without making modifications or retrofitting). This truck is considered general purpose equipment and can be rented, but <u>not</u> purchased.</p> <p>For vehicle and equipment leases or rentals with an acquisition cost that equals or exceeds \$5,000, rates should be in light of such factors as: rental costs of comparable vehicles and equipment, if any; market conditions in the area; alternatives available; and the type, life expectancy, condition, and value of the vehicle or equipment leased.</p> <p><i>Allowable</i> for acquisition costs and rental costs of special purpose equipment provided the following criterion is met:</p> <ol style="list-style-type: none"> 1) Necessary for the research, scientific, or other technical activities of the grant award; 2) Not otherwise reasonably available and accessible; 3) The type of equipment is normally charged as a direct cost by the organization; 4) Acquired in accordance with organizational practices; 5) Must only be used to meet the legislative purpose of the grant program and objectives of the grant award; 6) More than one single commercial organization, commercial product, or individual must benefit from the use of the equipment; 7) Must not use special purpose equipment acquired with grant funds to provide services for a fee to compete unfairly with private companies that provide equivalent services; and 8) Equipment is subject to the full range of acquisition, use, management, and disposition requirements under 2 CFR part 200.313 as applicable. <p><i>Equipment</i> is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the recipient for financial statement purposes, or \$5,000.</p> <p><i>Acquisition</i> cost means the cost of the asset including the cost to ready the asset for its intended use. Acquisition cost for equipment, for example, means the net invoice price of the equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired.</p> <p><i>General Purpose Equipment</i> means equipment that is not limited to technical</p>

Item	Description
	<p>activities. Examples include office equipment and furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles.</p> <p><i>Special Purpose Equipment</i> is equipment used only for research or technical activities. Examples include mobile markets; walk-in coolers, trailer to be retrofitted into a mobile market or food truck, and other equipment that requires modification <u>that is not already available and readily usable in its current form</u>.</p>
Farm, Gardening, and Production Activities and Supplies	<i>Unallowable</i> for farm, gardening, and production activities, materials, supplies, and other related costs. Example items may include soil, seeds, shovels, and gardening tools. Additionally, greenhouses and hoop-houses are unallowable.
Fines, Penalties, Damages and Other Settlements	<i>Unallowable</i> for costs resulting from violations of, alleged violations of, or failure to comply with, Federal, state, tribal, local or foreign laws and regulations.
Fundraising and Investment Management Costs	<i>Unallowable</i> for organized fundraising, including financial campaigns, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions, regardless of the purpose for which the funds will be used. This includes salaries of personnel involved in activities to raise capital.
Goods or Services for Personal Use	<i>Unallowable</i> for costs of goods or services for personal use of employees regardless of whether the cost is reported as taxable income to the employees.
Insurance and Indemnification	<i>Allowable</i> as indirect costs for insurance and indemnification.
Memberships, Subscriptions, and Professional Activity Costs	<p><i>Unallowable</i> for costs of membership in any civic or community organization.</p> <p><i>Allowable</i> for costs of membership in business, technical, and professional organizations.</p>
Organization Costs	<p><i>Allowable</i> for organization costs per 2 CFR 200.455.</p> <p><i>Unallowable</i> for costs of investment counsel and staff and similar expenses incurred to enhance income from investments.</p>
Participant Support	<i>Allowable</i> for support costs for items such as stipends or subsistence

Item	Description
Costs	allowances, travel allowances, and registration fees paid on behalf of lead conferences or training session organizers.
Pre-Award Costs	<p><i>Allowable</i>, if such costs are necessary for efficient and timely performance of the scope of the project work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award.</p> <p>A potential recipient may incur pre-award costs 90 calendar days before award. These costs and associated activities must be included in the applicant’s Project Narrative and budget justification. All costs incurred before award are at the potential recipient’s risk. The incurrence of pre-award costs in anticipation of an award imposes no obligation on AMS to award funds for such costs.</p>
Rearrangement and Reconversion Costs	<p>Rearrangement and reconversion costs are those incurred in restoring or rehabilitating the recipient’s facilities to approximately the same condition existing immediately before the start of the grant agreement, less costs related to normal wear and tear.</p> <p><i>Allowable</i> as indirect costs incurred for ordinary and normal rearrangement and alteration of facilities.</p> <p><i>Allowable</i> as direct costs for special arrangements and alteration costs incurred specifically for the award.</p>
Selling and Marketing Costs	<p><i>Allowable with conditions (see specific costs below)</i> for marketing activities directly related to the funded project. These include, but are not limited to:</p> <ul style="list-style-type: none"> • Advertising media costs to promote a producer-to-consumer direct marketing effort. Advertising media is newspaper; radio; television; direct mail; bus, signs, or other advertisement wraps; and other electronic and computer transmittals. • Promotional items such as point-of-sale materials, promotional kits, billboard space, signs or streamers, automobile stickers, table tents, and place mats, or promotional items of a personal nature. • Public relations activities utilizing advertising media to promote a direct producer-to-consumer marketing to the public or a specific and FMPP approved audience.
Selling and Marketing Costs – Coupons, Incentives or Other	<p><i>Unallowable</i> for costs of coupon/incentive redemptions or price discounts. Costs associated with printing, distribution, or promotion of coupons/tokens or price discounts (i.e., a print advertisement that contains a clip-out coupon) are allowable only if they solely promote the locally and regionally produced</p>

Item	Description
Price Discounts	agricultural products rather than promote or benefit a program or single organization.
Selling and Marketing Costs – Food for Displays, Tastings, Cooking Demonstrations	<p><i>Allowable</i> for food for displays, tastings, and cooking demonstrations with prior approval if the project’s expected outcome indicator is an increase in sales.</p> <p>The applicant must include quantitative metrics for an increase in sales in the Project Narrative and in Interim Performance Reports and the Final Performance Report.</p>
Selling and Marketing Costs – General Marketing Costs	<p><i>Unallowable</i> for general marketing of the health value of food products. (e.g. “Vegetables keep you healthy!”)</p> <p><i>Unallowable</i> for costs designed solely to promote the image of an organization, general logo, or general brand rather than locally and regionally produced agricultural products.</p>
Selling and Marketing Costs – Sponsorships	<p><i>Unallowable</i> for costs associated with sponsorships. A sponsorship is a form of advertising in which an organization uses grant funds to have its name and/or logo associated with certain events and where the organization does not necessarily know how the funds associated with sponsorship costs will be used. These costs also only benefit the organization offering funding. This limits the beneficiaries to the sponsor organization.</p>
Travel Costs	<p><i>Allowable</i> for domestic travel costs when travel costs are limited to those allowed by formal organizational policy; in the case of air travel, the lowest reasonable commercial airfares must be used.</p> <p>Recipients that do not have formal travel policies and for-profit recipients’ allowable travel costs may not exceed those established by the Federal Travel Regulation, issued by GSA, including the maximum per diem and subsistence rates prescribed in those regulations. This information is available at http://www.gsa.gov. If a recipient organization has no formal travel policy, those regulations will be used to determine the amount that may be charged for travel costs.</p> <p>Recipients are strongly encouraged to take advantage of discount fares for airline travel through advance purchase of tickets if travel schedules can be planned in advance.</p> <p>Consideration should be given to the use of alternative technologies such as teleconferencing or videoconferencing if they are available, appropriate for the</p>

Item	Description
	<p>project, and less costly.</p> <p><i>Unallowable</i> for travel costs of government officials per 2 CFR 200.444.</p> <p><i>Unallowable</i> for international travel costs.</p>

4.8 GRANTS.GOV APPLICATION SUBMISSION AND RECEIPT PROCEDURES AND REQUIREMENTS

The Grants.gov Initiative provides a single site on which to find and apply to funding opportunities, and AMS requires applicants to submit their applications electronically through the system. Grants.gov provides step-by-step instructions on how to apply for opportunities on its website:

<http://www.grants.gov/web/grants/applicants/apply-for-grants.html>.

When you reach the site, use the “apply” feature to begin, and read the five “Get Registered” steps. Registration instructions are found at: <http://www.grants.gov/web/grants/applicants/organization-registration.html>.

Read the instructions on the Grants.gov website carefully and completely to ensure proper submission. Applications not submitted properly by the deadline will not be accepted regardless of the circumstances.

The website also contains registration [checklists](#) to guide you through the process. **AMS recommends that you download the checklists and prepare the information requested BEFORE beginning the registration process to alleviate last-minute searches for required information.**

Grants.gov provides customer support 24 hours a day, 7 days a week (closed on federal holidays) via a toll-free number (1-(800)-518-GRANT) or email (support@grants.gov). For questions related specifically to the FMPP RFA requirements (not the Grants.gov website), contact FMLFPP staff at 202-720-0933.

4.8.1 TIMING REQUIREMENTS

Organizations must fully upload their application and Grants.gov must successfully receive it by the deadline (**11:59 p.m. [Eastern Time] May 12, 2016**). Many of the registration steps may take multiple days or even weeks to complete.

It is imperative that you REGISTER EARLY in Grants.gov to provide your organization ample time to complete the application process—DO NOT WAIT UNTIL THE DEADLINE! If you hit the submit button by the deadline, your application is not necessarily submitted and/or accepted. The rate of transmission, the size of your application, your internet connection, and firewalls within your organization may delay or impede a successful transmission. In some cases, the system may look like it is “spooling (i.e. it appears nothing is happening)—do not abort your transmission if this is the case! The system may need time to process the application, especially if you are uploading and transmitting many and/or large files. Electronic forms with associated XML schemas take time to for Grants.gov to process.

4.8.2 COMPONENTS OF THE GRANTS.GOV APPLICATION

a. DUNS Requirement

All entities applying for funding, including renewal funding, must have a Dun and Bradstreet Universal Data Numbering System (DUNS) number. The DUNS number must be included in the data entry field labeled "Organizational DUNS" on the SF-424 form. **It takes approximately 1-2 days to obtain a DUNS number.**

Instructions for obtaining a DUNS number are located at:

<http://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>. Authorized Organizational Representatives (see below) will need to know the organizational DUNS number to complete the application submission process.

Applicants that apply for an FMPP grant must be capable of managing and monitoring federal funds and project activities and outcomes. Recipients cannot transfer the award to another recipient organization once a grant is awarded (you may not apply under one DUNS number and switch to another later). Please consider the status of your organization's identity prior to submitting your application.

b. System for Award Management (SAM.gov) Registration

Applicants applying through Grants.gov must register with the Federal System for Award Management (SAM.gov). In addition to maintaining your organization's registration as a Federal recipient, SAM.gov is also how you will enter financial information necessary to be paid (by EFT) should your organization be awarded. Failure to register with SAM.gov will delay and/or prevent your application from Grants.gov submission.

NOTE: SAM.gov registration is FREE. Some websites exist that look like SAM and claim to offer their services for a fee. **If you are asked to pay a fee to register with SAM.gov, you are at the wrong website.** Additionally, any communication regarding your SAM.gov account will come directly from the website. Be suspicious if you receive unsolicited email notifications regarding your account (i.e. check the email address and/or call SAM.gov (866-606-8220) to verify that the communication is legitimate).

To create a SAM.gov account, you will need to designate your organization's E-Biz Point of Contact (E-Biz POC). This individual is the main contact for your organization in the SAM.gov system. The E-Biz POC may be the same person as the Authorized Organizational Representative (AOR). See below for more information.

SAM.gov can take 7-10 days to create an active account, with an additional 1-2 days for Grants.gov to recognize the information. Immediately register your organization in SAM.gov (i.e. before your entire Grants.gov application is ready) to ensure you are able to submit your application to Grants.gov on time. Step-by-step instructions for registering with SAM are located at:

<http://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>

NOTE: Each organization must have a Taxpayer ID Number (TIN/EIN) and taxpayer name. If your organization does not have a TIN/EIN, **allow an additional 2 weeks to request and obtain an EIN from the IRS (visit their website for details on obtaining this important piece of information).**

Additionally, each applicant must ensure that their respective organization's SAM.gov registration is up-to-date and active. SAM.gov accounts must be updated annually, and your organization must have an *active* SAM.gov account to submit your application to Grants.gov.

c. Authorized Organizational Representative (AOR) Authorization

To apply through Grants.gov, an AOR must create a username, password and profile. The AOR is the individual who is able to make legally-binding commitments for the applicant organization. The AOR may be the same person as the E-Biz POC. See "NOTE" below for more information. For detailed instructions about creating a profile on Grants.gov, visit:

<http://www.grants.gov/web/grants/applicants/organization-registration/step-3-username-password.html>.

At any time, you can track your AOR status on the Grants.gov website:

<http://www.grants.gov/web/grants/applicants/organization-registration/step-5-track-aor-status.html>

NOTE: This next step is often missed and it is crucial for valid submission. After creating a profile on Grants.gov, the E-Biz Point of Contact (i.e. the E-Biz POC listed as your contact in SAM.gov) will receive an email granting the AOR permission to submit applications on behalf of your organization. The E-Biz POC will then log on to Grants.gov and approve the applicant as the AOR, thereby giving him or her permission to submit applications. You will be able to submit your application online any time after AOR authorization.

Organizations cannot usually complete the profile and AOR authorization registration process in a single day. **Applicants that are not already registered should allow at least 2 weeks to complete this one-time process. DO NOT WAIT UNTIL THE DAY OF THE APPLICATION DEADLINE TO REGISTER.** The validation time depends upon the responsiveness of your e-Biz point of contact.

To learn more about AOR Authorization, visit:

<http://www.grants.gov/web/grants/applicants/organization-registration/step-4-aor-authorization.html>

d. Electronic Signature

Applications submitted through Grants.gov are considered electronically signed. The registration and account creation process, with the E-Biz POC approval, establishes the AOR authorization needed for the electronic signature. When you submit the application through Grants.gov, your AOR's name will be inserted into the signature line of the application.

4.8.3 HOW TO SUBMIT AN ELECTRONIC APPLICATION TO AMS VIA GRANTS.GOV

Grants.gov allows applicants to download the application package, instructions and forms from the AMS website in order to work offline. The forms are provided in a variety of formats including Microsoft Office products and fillable Adobe PDFs.

Grants.gov supports Adobe Reader version 9.0.0 and higher. Adobe Reader forms can be downloaded and saved to your hard drive, network drive(s), or to a flash or external drive. Visit the Adobe Software Compatibility page to download the latest version of the software:

<http://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>.

Once you complete the SF-424 form in Grants.gov, the system will transfer much of your information to subsequent forms, such as the applicant name, address and DUNS number, on all subsequent Adobe Reader forms. Some fields will appear with a background color—these fields are mandatory and must be completed to successfully submit your application.

4.8.4 TIMELY RECEIPT REQUIREMENTS AND PROOF OF TIMELY SUBMISSION

After you submit your application to Grants.gov, you will receive an automatic notification of receipt from the system that contains a Grants.gov tracking number. This notification **ONLY** indicates receipt by Grants.gov and does not indicate receipt by AMS. Grants.gov may also send you an error message if your application was not submitted correctly.

AMS will retrieve your application from Grants.gov, triggering a second electronic acknowledgment of receipt sent to the AOR. This email, which will be triggered shortly after the application deadline, indicates that the application was submitted successfully to AMS. This notification means that AMS *received* the application; it does **NOT** mean that AMS *accepted* the application. If you do not receive this second notification, you did not successfully upload your organization's application—contact Grants.gov to identify the issue if it is not already apparent.

AMS will send a third email to inform applicants that either:

- a) Their application was successfully submitted and will be forwarded to the peer reviewers for evaluation.
- b) Their application did not meet the basic requirements and therefore will not undergo peer review.

All applications must be submitted through Grants.gov. AMS will not accept applications packages by fax, email or postal mail. AMS cannot waive these submission requirements. Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by AMS.

4.8.5 TIPS FOR APPLICANTS

- Register and submit applications early. **DO NOT WAIT UNTIL THE DAY OF THE APPLICATION DEADLINE.**
- Thoroughly read this Requests for Applications and follow all of the instructions provided by AMS.

- Make sure you have the most recent copy of Adobe Reader installed on your computer and that it is compatible with [Grants.gov](http://www.grants.gov) software. Grants.gov supports Adobe Reader version 9.0.0 and higher.
- Limit Application File Size/ File Name Characters (50 or less).
- When uploading attachments, click the “Add Attachments” button (do NOT use the “paperclip” icon in Adobe Reader)
- Do not password-protect your documents and make sure all tracked-changes are “accepted”.
- Avoid Special Characters in File Names (\$, %, &, *, Spanish "ñ", etc.).
- Input the correct DUNS number on the SF-424 cover page.
- Review the Grants.gov Applicant User and Registration Guides: <http://www.grants.gov/web/grants/applicants/applicant-tools-and-tips.html> and FAQs: <http://www.grants.gov/web/grants/applicants/applicant-faqs.html>

4.8.6 TIMING TO OBTAIN AND SUBMIT GRANTS.GOV REQUIRED ELEMENTS

Required Action	Timing to Obtain/Submit
AMS Deadline to receive final application and all supporting materials	11:59 p.m. [Eastern Time] – May 12, 2016
Obtaining Your Organization’s DUNS Number (if you do not already have one)	1-2 business days
Establishing an Active SAM.gov Account (if you do not already have one)	7-10 business days
Obtaining an TIN/EIN (if you do not already have one)	Up to 2 weeks
Creating your Grants.gov profile and registering your AOR authorization	Up to 2 weeks

5.0 APPLICATION REVIEW INFORMATION

5.1 PROJECT EVALUATION CRITERIA

Each application will be reviewed competitively using the following criteria and scoring:

Alignment and Intent **15 Points**

The proposed project’s goals align with FMPP’s purpose as stated in **1.2 Purpose**, directly benefiting farm and ranch operations, **and** establishes:

- A clear and concise description of the specific issue, problem, or need, and objectives for the project.
- How the project increases domestic consumption of and access to locally and regionally produced agricultural products and develops new market opportunities for farm and ranch operations serving local markets, by:
 - Developing, improving, expanding, and providing outreach, training, and technical assistance to; or

- Assisting in the development, improvement and expansion of domestic farmers markets, roadside stands, community-supported agriculture (CSA) programs, agritourism activities, and other direct producer-to-consumer market opportunities.
- The intended and number of beneficiaries and how they will benefit from the project.

Technical Merit..... **25 Points**

The proposed project provides a work plan/approach that is well designed, ready to be implemented at the time of the award, and consistent with the expectations described in the RFA. The project proposal must establish:

- A clear and well-conceived overall methodology to fulfilling the goals and objectives of the proposed project.
- A work plan including a timeline that is sound, feasible, incorporates the listed partners and collaborators, and clearly outlines how the applicant will meet the intended goals and objectives to successfully impact its stated beneficiaries.
- A comprehensive plan to disseminate the project’s results (both positive and negative) electronically and in person to target audiences, stakeholders, and interested parties.
- Outcomes and indicator(s) is/are appropriate for the scale and scope of the project.

Achievability..... **25 Points**

The proposed project’s likelihood of success in fulfilling the project’s goals, objectives, and selected performance measures (see [3.5 Performance Measures](#)) given the originality of the project and its intended beneficiaries. The project proposal must:

- Include a robust evaluation plan, using recent research and data in addition to the data collected through the project’s implementation, with a clear means to collect feedback to evaluate and achieve each relevant Outcome indicator, including the project-specific Outcome Indicator.
- Illustrate that the project goals, objectives, activities, and expected outcomes can be easily adaptable to other regions, communities, and/or agricultural systems.
- Describe the potential challenges and how they will be addressed.
- If the project and/or entity was previously funded, provide a concise and straightforward depiction of the previous project’s results that includes what was learned from the past project(s), what can be improved upon, and how those lessons and improvements are being incorporated into this application to make the ongoing project more effective and successful at meeting program goals.

Expertise and Partners..... **20 Points**

The proposed project has a clearly articulated management plan and plan for administration of the proposed project and its maintenance and partnerships. The project’s key participants (internal applicant personnel **and** external partners and collaborators) are knowledgeable on matters associated

with local and regional agricultural products, have a previous performance that illustrates that they are capable of fulfilling their obligations, and demonstrate an active participation in the development of the project, willingness to fulfill the project's activities and outcomes, and commitment to communicating the results of the project. The project proposal must:

- Represent a substantial, effective and diverse array of relevant partnerships and cooperative linkages to accomplish the project's goals and objectives and meet the needs of the intended beneficiaries.
- Illustrate that the organization, its staff, and its partners and collaborators have sufficient overall experience to successfully implement the proposed project, including relevant experience and success in developing and operating projects similar to those to be conducted under the proposed project.
- Demonstrate the commitment and sustainability of the project's partnerships and collaborations and how they will extend beyond the life of the grant.

Fiscal Plan and Resources..... **15 Points**

The proposed project's budget and *Evidence of Critical Resources and Infrastructure*, if applicable, demonstrate that the applicant has assigned sufficient resources. The project proposal must:

- Illustrate that the planned expenditures in the budget are clearly described; allowable, reasonable, and allocable (see *4.7 Funding Restrictions*); and necessary for the success of the project's goals and objectives as well as the fulfillment of its expected outcomes and indicators.
- Provide the *Evidence of Critical Resources and Infrastructure*, if necessary, for the initiation and completion of the proposed project, which are available at the time of proposal submission. Remember that any critical resources and/or infrastructure mentioned in the application must be in place at the time of the submission of the application to FMLFPP.

5.2 REVIEW AND SELECTION PROCESS

Step 1: Initial Qualification Screening

To meet the basic eligibility requirements, each submitted FMPP proposal must contain the properly completed, required documentation listed in *4.2 Application Checklist*. Projects that do meet this requirement will not proceed to Step 2 (below).

Step 2: Technical Review

Each FMPP application (project), including the Proposal Narrative and budget, Evidence of Critical Resources and Infrastructure, and other supporting documentation, is evaluated by peer reviewers. To eliminate bias, AMS assigns reviewers to projects that are not in their geographic area or associated with their business in any way. Each reviewer also signs a conflict of interest and confidentiality agreements regarding any assigned proposals. The reviewers are not permitted to apply for FMPP grant funds, or receive financial benefit from any submitted application during the year on which they serve on the review panel.

Selected peer reviewers will have a diverse expertise, representing agricultural businesses, cooperatives, producer networks, producer associations, CSA networks and associations, local governments, non-profit corporations, public benefit corporations, economic development corporations, regional farmers market authorities and tribal governments, and others with knowledge of direct producer-to-consumer marketing activities.

The peer review panel evaluates each proposal using instructions prepared by AMS officials. Individual reviewers evaluate and score their assigned proposals and then confer with other team members to derive a consensus score. The consensus review serves as the basis for awarding and allocating FMPP grant funds and focuses on strengths and weaknesses of each proposal.

Step 3: *Federal Assistance Regulations Review*

FMPP will conduct a final administrative evaluation of each review panel's top rankings and recommendations. In addition to the scores, AMS reviews each award to ensure that recommended projects align with the FMPP scope, allowability of budget items, and available funding. Projects that do not score high enough to make the final evaluation will not undergo final Federal Assistance Regulation Review.

FMPP staff will work with top-ranked applicants to negotiate any revisions if necessary and possible. AMS will also assess your organization's ability to account for the use of Federal funds and monitor the performance associated with these monies. This assessment will consider your organization's:

1. Financial stability—FMPP staff will use the *Accounting System and Financial Capabilities Questionnaire* (part of the application package) as a basis to evaluate top-ranked applicants;
2. Financial verification in SAM.gov, the Treasury Department's Do Not Pay website; and the Federal Awardee Performance and Integrity Information System (FAPIIS) if applicable;
3. Recent history of performance with AMS grant programs (any open grants and grants closed within last three years); and
4. Reports and findings from audits performed under Subpart F—Audit Requirements of 2 CFR 200 or the reports and findings of any other available audits.

6.0 AWARD ADMINISTRATION INFORMATION

6.1 AWARD NOTICES

Upon announcement of the federal awards, FMPP will prepare and send a Notice of Award and Grant Agreement to each recipient for signature by the appropriate official. Grant Agreements consist of a 1-page Agreement Face Sheet (AMS-33) that will be signed by AMS and the AOR.

The Grant Agreement sets forth pertinent information about the federal award, including, but not limited to, the following:

- Federal Agreement Identification Number (FAIN) or "agreement number;"
- Statutory authority for the award and any applicable program regulations;
- Name of Recipient organization;

- Name of the Recipient Project Coordinator;
- Approved period of performance start and end dates;
- Amount of Federal funds authorized for obligation by the recipient;
- Name of the Federal Agency Project Manager; and
- Terms and Conditions of Award, by either reference or inclusion.

Once your organization signs this agreement, you will not be allowed to transfer the grant to another organization. Should there be an issue for which the organization cannot carry out the remainder of the grant work, the recipient authorized representative must contact the assigned FMPP grant specialist to terminate the grant early.

6.2 UNSUCCESSFUL APPLICANTS

Unsuccessful applicants will be contacted by FMPP via email as soon as possible after the FMPP awards are announced to inform them of the results. FMPP will email unsuccessful applicants anonymous review panel consensus comments regarding their proposals as feedback.

6.3 ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

Several federal statutes and regulations apply to grant applications considered for review and to federal awards under this program. These include, but are not limited to the ones listed below.

[2 CFR part 25](#) – *System for Award Management and Universal Identifier Requirements*

[2 CFR part 170](#) – *Reporting Subaward and Executive Compensation Information*

[2 CFR part 175](#) – *Award Term for Trafficking in Persons*, which is the implementation of the Trafficking Victims Protection Act of 2000, as amended ([22 U.S.C. 7104\(g\)](#))

[2 CFR part 180](#) and [part 417](#) – *OMB Guidelines to Agencies on Government-Wide Debarment and Suspension (Nonprocurement)* and *USDA Nonprocurement Debarment and Suspension*

[2 CFR part 200](#) – *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*

[2 CFR part 400](#) – *USDA implementation of 2 CFR part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*

[2 CFR part 415](#) – *USDA General Program Administrative Regulations*

[2 CFR part 416](#) – *USDA General Program Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*

[2 CFR part 418](#) – *USDA implementation of Restrictions on Lobbying* - Imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of federal contracts, grants, cooperative agreements, and loans.

[2 CFR part 421](#) – *USDA Implementation of Government-wide Requirements for Drug-Free Workplace (Financial Assistance)*

[7 CFR part 1, subpart A](#) – USDA implementation of the *Freedom of Information Act*

[7 CFR part 1b](#) – USDA procedures to implement the *National Environmental Policy Act of 1969*, as amended

[7 CFR part 3](#) – USDA implementation of *OMB Circular No. A-129* regarding debt collection

[7 CFR part 15, subpart A](#) – USDA implementation of Title VI of the *Civil Rights Act of 1964*, as amended

[7 CFR part 331](#) and [9 CFR part 121](#)—USDA implementation of the *Agricultural Bioterrorism Protection Act of 2002*

[37 CFR part 401](#) – *Rights to Inventions made by Nonprofit Organizations and Small Business Firms under Government Grants, Contracts, and Cooperative Agreements*. The implementation of the *Bayh Dole Act* ([35 U.S.C. 200 et seq.](#)) controlling allocation of rights to inventions made by employees of small business firms and domestic nonprofit organizations, including universities, in federally-assisted programs.

[41 CFR part 301-10.131 to 301-10.143](#) – *Use of United States Flag Air Carriers*, which implements the *Fly America Act* ([49 U.S.C. 40118](#))

[48 CFR part 25](#) – *Foreign Acquisition*, which implements the *Buy American Act* ([41 U.S.C. Ch. 83](#))

[48 CFR subpart 31.2](#) – *Contracts with Commercial Organizations*

[44 U.S.C. 3541 et seq. \(Pub. L. 107-347\)](#) – *Federal Information System Security Management Act of 2002* (FISMA), an Act designed to improve computer and network security within the Federal Government. Applies to recipients if it will collect, store, process, transmit, or use information on behalf of AMS.

Motor Vehicle Safety –

- Highway Safety Act of 1966, as amended ([23 U.S.C. 402 & 403](#));
- Government Organization and Employees Act, as amended ([5 U.S.C. 7902 \(c\)](#));
- Occupational Safety and Health Act of 1970, as amended ([29 U.S.C. 668](#));
- Federal Property and Administrative Services Act of 1949, as amended ([40 U.S.C. 101, et seq.](#));
- Increasing Seat Belt Use in the United States ([E.O. 13043](#));
- Federal Leadership on Reducing Text Messaging While Driving ([E.O. 13513](#))

Federal statutes and regulations found on the SF-424B “Assurances –Non-Construction Programs” (this form is submitted through Grants.gov with your application package)

6.4 REPORTING

Recipients are required to submit interim reports throughout the grant’s period of performance as well as one final report.

6.4.1 ANNUAL PERFORMANCE REPORTS

The Annual Performance Report, along with an annual SF-425 “Federal Financial Report”, is due within 90 calendar days after each one-year period of performance.

For 2016 Awards (both CB and CTA projects), the 3-year period of performance begins September 30, 2016, and ends September 29, 2019. Recipients must submit two interim reports.

Annual Report Number	One-Year Marker (Report Due w/in 90 Days of this Date)	Due Date
1	September 30, 2017	December 29, 2017
2	September 30, 2018	December 31, 2018

6.4.2 AWARD CLOSEOUT

To officially close out an FMPP award, the following items are due within 90 days following the award performance period (by December 29, 2019):

1. Final Performance Report
2. Final Payment Request (SF-270), if applicable
3. Final SF-425, “Federal Financial Report” and if applicable, payment of unobligated balance
4. Tangible Personal Property Report, if applicable
5. A refund of any unused FMPP grant funds (checks made out to the *Agricultural Marketing Service*), if applicable.

Recipients should submit the reports to the FMPP electronically as required in the FMPP Award Terms and Conditions. Once the project is successfully closed, FMPP will issue a closeout letter as the Agency’s official notification.

7.0 AGENCY CONTACTS

Applicants and other interested parties are encouraged to contact the FMPP staff by e-mail at USDAFMPPQuestions@ams.usda.gov or by phone at 202-720-0933.

Program Manager:

Nicole Nelson Miller

Mailing Address:

Farmers Market Promotion Program
 USDA, Agricultural Marketing Service
 1400 Independence Avenue, SW
 Room 4534-South Building, Mail Stop 0267
 Washington, DC 20250-0267

Website address:

<http://www.ams.usda.gov/services/grants/fmpp>

8.0 OTHER INFORMATION

8.1 EQUAL OPPORTUNITY STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs,

or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs).

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

8.2 FREEDOM OF INFORMATION ACT REQUESTS

The Freedom of Information Act (FOIA) of 1966 ([5 U.S.C. 552](#)) and the Privacy Act of 1974 ([5 U.S.C. 552a](#)), as implemented by USDA's regulations ([7 CFR part 1, Subpart A](#)) govern the release or withholding of information to the public in connection with this Federal award. The release of information under these laws and regulations applies only to records held by AMS and imposes no requirement on the recipient or any subrecipient to permit or deny public access to their records.

FOIA requests for records relating to this federal award may be directed to USDA, Agricultural Marketing Service, FOIA/PA Officer, Room 3943-S, Mail Stop 0202, 1400 Independence Ave., SW, Washington, DC 20250-0273, Telephone: (202) 720-2498; or email: AMS.FOIA@usda.gov.

8.3 PROHIBITION ON USING FUNDS UNDER GRANTS AND COOPERATIVE AGREEMENTS WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS

By submission of its proposal or application, the applicant represents that it does not require any of its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting those employees, contractors, or subrecipients from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information. Note that: (1) the basis for this representation is a prohibition in sections 743, 744 of the Consolidated Appropriations Act, 2016, Pub. L. 114-113, (Division E, Title VII, General Provisions Government-wide) and any successor provisions of law on making funds available through grants and cooperative agreements to entities with certain internal confidentiality agreements or

statements; and (2) section 744 states that it does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0240. The time required to complete this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

USDA's Nondiscrimination Statement (effective 2015)

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- 1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410;
- 2) fax: (202) 690-7442; or
- 3) email: program.intake@usda.gov.

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