

**Home Feeds Nevada Agriculture Food Purchase Program
Request for Qualifications**
Division of Food and Nutrition



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Background

The Home Feeds Nevada Agriculture Food Purchase Program (HFN) was established with the passage of SB 370 during the 81st Nevada Legislative Session to help Nevada become more food secure and create economic opportunity for Nevada food producers. Through this program, the Nevada Department of Agriculture (NDA) will purchase nutritious foods that are grown, produced, or processed in Nevada and distribute them to designated food banks.

The NDA is accepting applications under this Request for Qualifications (RFQ) for the following products and/or services:

- Food producers and food processors for products produced or processed in Nevada as listed in Appendix A.
- Storage providers, as needed, to provide aggregation and storage of food from producers and processors, for final delivery to designated food banks. Vendors are not eligible to be paid as storage providers for their own products.
- Transportation providers to transport food to designated food banks. Food producers and processors can be paid to transport their products, or they can arrange for an approved transportation provider to transport their products. Transportation providers can transport product from all approved vendors.

A business may apply to provide multiple products and/or services. Details and requirements for program eligibility are outlined in this RFQ.

Questions or comments regarding this RFQ should be directed to alouhela@agri.nv.gov. All inquiries and responses regarding eligibility or legal matters must be typewritten and sent by email or mail.

Applicable Regulations Governing Procurement by the State of Nevada

- All applicable Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) documentation can be found at www.leg.state.nv.us/law1.cfm.
- Prospective vendors are advised to review Nevada's ethical standards requirements, including but not limited to NRS 281A, NRS 333.800, and NAC 333.155.

Project Overview

- The NDA is seeking multiple, qualified vendors to provide products and services on an ongoing, as-needed basis, as described in this RFQ.
- The NDA intends to purchase products and services from qualified applicants in conjunction with this RFQ, as determined in the best interests of the State. Purchases will be made through a purchase order process.
- This is a rolling award solicitation. The NDA reserves the right to accept and evaluate applications throughout the life of the program. The NDA will decide, at its discretion, when and if applications will no longer be accepted.

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Definitions

- Nutritious foods—whole or minimally processed foods that provide nourishment to the body and contain no or minimal added sugar, salt, or fats. They include produce, dairy, grains, proteins, and nuts.
- Producer—a farmer or rancher selling food they have grown or produced in Nevada.
- Processor—a business that uses procedures to alter food from its natural state, including but not limited to milling, pasteurizing, canning, freezing, drying, or dehydrating.
- Storage provider—a business with the capacity to offer food-safe aggregation and storage facilities for product from multiple farms and/or processors, while maintaining inventory records and coordinating with transportation providers for product pickup.
- Transportation provider—a business with the capacity to transport products from producers, storage providers, or processors to designated food banks.

Vendor Requirements

Eligible Vendors

- Food producers based in Nevada.
- Food processors based in Nevada.
- Businesses, based in Nevada, with capabilities to provide storage and/or transportation services, as needed.

Requirements for All Vendors

- Must be a [registered vendor](#) with the State of Nevada.
- Must obtain and provide a unique entity identifier generated by [SAM.gov](#).
- Must have the ability to access the internet to complete the [online HFN Request for Qualifications Application & Vendor Agreement](#), [State of Nevada vendor registration](#), and other online processes.
- Registered to do business and in good standing with the Nevada Secretary of State.
- May not be debarred or suspended from receiving federal or state funds.
- Be able to demonstrate the ability to provide product or services.
- Applicants are required to disclose to the NDA if any of the following conditions apply:
 - Applicant has been convicted of or had a civil judgment rendered against them within the three-year period preceding the application for NDA funding for any of the following:
 - Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction or contract under a public transaction
 - Violation of a federal or state antitrust statute
 - Embezzlement, theft, forgery, bribery, falsification, or destruction of records, or
 - False statements or receipt of stolen property

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- Applicant is presently indicted or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with the commission of any of the offenses enumerated above.
- Applicant has had any public transaction (federal, state, or local) terminated for cause or default within the three-year period preceding the application.
- Organizations or individuals that are suspended or debarred from any state or federal agency cannot apply for or be paid from the NDA during the period of the suspension or debarment. If an organization or individual is debarred, another entity that is an approved vendor cannot contract and/or hire the debarred agency in any capacity. Any expenditure charged to this program for such individuals or agencies will be disallowed.

Nevada Vendor Registration Requirement

Before an application is approved, the business must be a registered vendor with the State of Nevada. The process is free and will establish a vendor record in the accounting database. Applicants can register online with the Nevada State Controller's Office at https://controller.nv.gov/Vendor/Electronic_Vendor_Registration/.

Unique Entity Identifier (through SAM.gov) Requirement

Before an application is approved, the business must obtain and provide a unique entity identifier (UEI) generated by SAM.gov. The process is free and is required for all vendors receiving payments from federal funds. Details can be found at <https://sam.gov/content/home>. Applications that have applied for a UEI and are awaiting approval will be put on hold until the number is received by the NDA.

Food Producer and Food Processor Requirements

- All products must be grown, produced, or processed in Nevada.
- Food producers must possess and provide proof of a [Nevada producer certificate](#) or [Nevada livestock assessment number](#). Instructions to obtain a producer certificate can be found on the NDA website at https://agri.nv.gov/Plant/Producer_Certification/Producer_Certification_Home/, and instructions for the Nevada livestock assessment number can be found at https://agri.nv.gov/Animals/Livestock/Home_Livestock_ID/. Applicants that have applied for a producer certificate or livestock assessment number and are awaiting approval will be put on hold until the number is received.
- Sales of meat or poultry products require proof of processing under a USDA FSIS Grant of Federal Inspection.
- Producers and processors are responsible for final delivery of their product to the food banks. If they are not delivering their own products, they are responsible for procuring approved storage and/or transportation providers and scheduling and coordinating deliveries between storage and transportation providers and the food banks. Upon

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request, the NDA may assist with sourcing for storage and transportation for producers and processors unable to provide transportation.

Storage Provider Requirements

Storage sites are intended to provide for product aggregation and delivery for producers and processors that have limited production and/or transportation capabilities. Products may be consolidated from multiple businesses for one delivery to the food bank(s). Storage providers will be approved, and storage sites will be established based on program needs.

The storage provider must:

- Assure that all foods are held in a secure storage facility in compliance with applicable local, state, and federal regulations.
- Accept delivery of food products for aggregation and storage at agreed-upon times.
- Inventory products and maintain a bill of lading (BOL) for each delivery.
- Have staff available to unload and load products and perform a physical inventory of products for verification purposes.
- Maintain an inventory procedure to monitor physical count and condition for all movement of food in and out of the storage location.
- Monitor and record temperatures in all storage areas on a consistent basis.

Storage facilities must abide by the following standards:

- Be accessible to commercial transport vehicles.
- Be sanitary and free from rodent, bird, insect, and other animal infestation.
- Be safeguarded against theft, spoilage, damage, and other loss.
- Maintain foods at proper storage temperatures. Refrigerated foods must be maintained at 35° to 41°F. Frozen foods must be maintained at 0°F or less. Dry foods must be maintained at 35° to 75°F.
- Be kept clean and free of litter, rubbish, contaminants, and pollutants.
- Storage space must be adequate for the receipt, storage, and distribution of all foods.
- Food products must be stored away from non-food items that may contaminate food, such as cleaning products, insecticides, and rat poison.
- When not palletized, food must be stored off the floor, e.g., on shelves, racks or 2" x 4" wooden boards, in a manner to allow for adequate ventilation.

Transportation Provider Requirements

Producers and processors are responsible for delivery of their product to the food banks. If they are not delivering their own product, they are responsible for scheduling and coordinating deliveries between storage and transportation providers. Upon request, the NDA may assist them with sourcing for storage and transportation if they are unable to provide transportation.

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Producers, processors, and/or transportation providers will be paid a delivery fee to compensate them for transportation costs from the farm or storage site to the food bank. The method for determining the delivery fee can be found in the Finances section.

The transportation provider must abide by the following standards. Deliveries not meeting these requirements may be rejected by the food banks, and the vendor(s) will not be paid.

- Food products must be delivered in good condition in containers that meet the Harvest and Packaging Requirements listed in this RFQ.
- Product must be at a temperature that safeguards quality and food safety.
- Vehicles must be clean, and products must be transported in a manner that protects the integrity and safety of the product.
- Vendor must maintain vehicle liability insurance as listed in this RFQ.

Insurance Requirements for Transportation Providers

Transportation providers are required to maintain the following vehicle liability insurance:

Bodily injury and property damage for any owned, hired, and non-owned vehicles used to deliver product to the food bank.

Combined Single Limit (CSL) \$300,000

The policy shall be endorsed to include the following additional insured language: "The State of Nevada, Department of Agriculture shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the transportation provider, including vehicles owned, leased, hired or borrowed by the transportation provider."

Eligible Products

The HFN allows for the purchase and distribution of “nutritious foods that are grown, produced or processed in Nevada.” For purposes of this program, nutritious foods are defined as whole or minimally processed foods that provide nourishment to the body and contain no or minimal added sugar, salt, or fats. Nutritious foods include produce, dairy, grains, honey, proteins, and nuts. Fresh, dried, or frozen foods are eligible. Unallowable food items include foods such as chips, candies, snack food items, and pastries.

Products from producers will receive priority over products from processors, regardless of the time of filing of application. A list of eligible products can be found in Appendix A.

Products will be chosen based on food bank preferences, availability, and price. Products not listed in the appendix may be added upon approval by the NDA and designated food banks.

Food Safety Requirements

Producers should utilize on-farm food safety production practices that minimize food safety risks. Specialty crop producers should abide by the FSMA Final Rule on Produce Safety that

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provides standards for the growing, harvesting, packing, and holding of produce for human consumption. Additional information and resources can be found on the NDA website.

Harvest and Packaging Requirements

Below are harvest and packaging requirements, as requested by food banks, and to ensure food safety. These requirements are subject to change, and vendors will be notified accordingly.

- Glass containers are not allowed.
- Dependent on food bank preferences, products may be packaged in bulk or in individual/family serving sizes. Vendors will be notified what size to package the products.
- Packaging materials must be food grade.
- Containers and packaging must be new and in good condition.
- Products must be delivered in sturdy, rectangular boxes or totes that protect products from bruising. Loose items are not allowed.
- Containers must not weigh over 40 pounds unless permission has been given to deliver in gaylord boxes (melons and winter squash).
- Fresh, canned, dried, and frozen foods are acceptable. Processed foods must be processed in a facility approved by its local health authority.
- Tops should be removed from carrots before packing to prevent wilting. If tops are left on beets, turnips, and other root vegetables, they should be packaged appropriately to prevent them from wilting.
- Produce should be free from sand and dirt.
- Products should be labeled in accordance with the labeling requirements in this RFQ.
- Products not meeting harvest and packaging requirements may be rejected by the food bank, and the vendor(s) will not be paid.
- Processed foods with “Best by” dates that will expire less than 30 days after delivery will not be accepted, except for milk. Milk must have a “Best by” date that will expire less than ten days after delivery.

Labeling Requirements

All products from food producers must disclose the name and complete business address of the farm or ranch where it was grown or produced. The label may be on the individual packaging or on the box. Food processors must disclose the name and complete business address of the facility where the food was processed.

Delivery Requirements

Product should be delivered to food banks during their designated delivery times. Vendors must arrange for a delivery appointment with the designated food bank at least 48 hours before the

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expected delivery. If 48 hours' notice is not given, and the food bank is unable to accept the shipment, the vendor(s) will not be paid.

A commercial BOL must be provided with each delivery, containing a list of the items and amounts. If the delivery is for multiple farms, a BOL must be provided for each farm. The BOL is the primary document on which all verifications of delivery, condition of foods upon receipt, and food counts must be recorded. Vendors will be paid upon proof of delivery of product and upon the NDA's receipt of an invoice and signed BOL from the vendor(s). Invoices should be sent within seven days of product delivery.

Food producers and processors are responsible for coordinating the delivery of products to the food banks, including coordination between storage and transportation providers if they are not delivering their own products.

Receiving Requirements

The food bank will inspect each shipment to ensure that the product is in good condition, at a food-safe temperature, and contains the quantities listed on the BOL.

When the driver arrives with the food, and before the driver leaves, the food bank must:

- Inspect each shipment carefully while unloading to determine its count and condition.
- Sign and date the BOL to acknowledge receipt of all items physically received. Additionally, the driver is required to sign the BOL, acknowledging that all items are accounted for.
- Give the signed BOL with two signatures to the vendor, who will send it to NDA for payment. Payments will not be made until an invoice and BOL with the required signatures is received by the NDA.

If inspection indicates that some or all the foods in the shipment are damaged, spoiled or out of date, or if there is a discrepancy between the BOL and physical count, the food bank must do the following:

- Accept the part of the shipment that is useable and reject any out-of-condition foods, which will be returned to the vendor.
- Sign and date the BOL to acknowledge receipt of all items physically received and product that was rejected and returned to the driver.
- The driver is required to sign the BOL, acknowledging that only a partial or incomplete shipment was accepted.
- Take photos of the damaged items and send to the NDA, along with a copy of the BOL.
- The food bank should not sign the BOL before determining whether there is damage to, and/or whether there is a shortage or overage of the delivery. The driver is required to sign the BOL when changes to the quantity are noted.

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Application Process

Application Submission Instructions

1. The applicant may apply as a food producer, food processor, storage provider, and/or transportation provider. A business may apply to provide multiple products and/or services.
2. The application must be submitted in the online format provided and electronically signed, along with supporting documentation, if required. The NDA will not accept applications submitted by mail, on disk, flash drive or by fax.
3. Applications not submitted in the manner prescribed in the announcement will not be considered for funding.
4. If the applicant is unable to submit an online application, they can email alouhela@agri.nv.gov for technical assistance.
5. Applicants may change the type of products and/or dollar amount of projected sales after the application has been submitted. Changes are subject to approval by the NDA.

The online Request for Qualifications application can be accessed at [this link](#).

Application Deadline

Applications will be accepted on a rolling basis and will be processed on a first-come, first-served basis until notice is given of an application deadline or until all funds are expended, whichever comes first.

Evaluation Process

All applications will be evaluated for eligibility. Evaluation and scoring will be conducted in accordance with NRS 333.335 and NAC 333.160-333.165. Qualifications will be evaluated upon a pass/fail basis, based on verification of the applicant meeting the requirements listed under Vendor Eligibility Requirements.

Responses will be kept confidential until the application is approved.

Appeal Process

If an application is not approved, the applicant may appeal if they demonstrate one of the following:

- Applicant provided misinformation; or
- NDA staff failed to follow existing policies.

A Notice of Appeal must be made in writing to the Fiscal Administrator of the NDA within 30 days of the applicant's notice of disapproval. The Notice of Appeal must be signed by the same authorized representative who signed the application.

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Finances

Funding Availability and Allowability

The execution and administration of the HFN is dependent upon gifts, grants, and donations received by the NDA. All funds received for the program must be deposited into the Nutritious Food Purchase Account in the State General Fund.

Funding amounts for vendors will vary and will be based on the amount of program funds available and the production and/or processing capacity of each vendor. As additional funds become available, this cap may be increased, and additional requests accepted. Funding for individual vendors will be conditional upon the size and scope of their operation/business and the demand for product and services.

Program Funding Limitations

Funding amounts for vendors will vary and will be based on the amount of program funds available and the production and/or processing capacity of each vendor. If additional funds become available, this cap may be increased, and additional requests accepted. All funding will be conditional upon the size and scope of the operation/business.

Purchase Order Payment Procedures

After an applicant is approved, purchases will be made through a declining balance purchase order process with the NDA.

- The purchase order for producers and processors will include a list of approved products to be sold, prices for the products, estimated harvest and delivery dates, and a maximum dollar amount of sales to be allowed for the designated period.
- Purchase orders for transportation and storage providers will include the prices to be paid for storage and transportation and a maximum dollar amount allowable for services during the designated period.
- Vendors will not be penalized if they do not fulfill the entire monetary amount of the purchase order.
- Vendors may request an increased maximum dollar amount of sales if they reach their limit for the year. Approval will be dependent on funding availability and demand for product and/or services.
- All purchase orders will be executed in accordance with NDA requirements.
- Purchase orders will be made on a fiscal year basis, from July 1–June 30.

Payments

- Advance payments are not allowed.
- Payment will be paid to producers, processors, and transportation providers upon proof of delivery of product to the designated food bank(s) and the receipt of an invoice and

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properly signed BOL to the NDA. Invoices and signed BOLs should be submitted within seven days of product delivery.

- Payment will be made to storage providers monthly, upon receipt of an invoice from the vendor.
- Vendors must have a State of Nevada vendor number and have a UEI through SAM.gov.
- All payments will be paid electronically.

Tiered Pricing for Food Producers

One purpose of the HFN is to provide economic development for Nevada’s food producers. To accomplish this, a tiered system for the purchase price of products will be established. Base prices will be established by comparing USDA and regional wholesale price reports. The price paid will include a “local” premium, recognizing the additional costs incurred by small farms.

Premiums and product prices will be established using a tiered system, based upon the size of the farm or ranch. Small farms will receive the full premium. Midsize farms will receive half the premium, and large-scale farms will not receive a premium. Premiums and product prices will be determined during the application process.

Product prices and premiums will be reviewed annually, on a calendar year basis. If it is determined that premiums and/or product prices will change, the new prices and/or premiums will take effect at the beginning of the next NDA fiscal year. The calendar year will end on December 31, and the NDA fiscal year will begin on July 1.

Calculating Tiered Premiums

Farms will receive a premium percentage over the established base price based on the farm size as established by the USDA Economic Research Service. For USDA purposes, farm size is measured by annual gross cash farm income (GCFI)—a measure of the farm's revenue (before deducting expenses) that includes sales of crops and livestock, payments made under agricultural federal programs, and other farm-related cash income including fees from production contracts.

Small farm (GCFI less than \$350,000)

Midsize farm (GCFI between \$350,000 and \$999,999)

Large-scale farm (GCFI of \$1,000,000 or more)

Pricing for Food Processors

Purchase prices from processors will be negotiated during the application process. Prices will be based on product supply/demand and trending wholesale prices.

Pricing Criteria for Storage and Transportation Providers

The NDA will pay approved vendors for storage and/or delivery costs from the farm or storage site to designated food banks.

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- Storage rental fees will be paid to vendors who store products that have been aggregated from other producers and/or processors, awaiting transportation to the food banks. Storage fees will not be paid to producers to store their product at their own facility.
- Transportation costs will not be paid to producers that deliver product to storage sites, rather than delivering directly to the food bank.

Pricing for Storage Providers

Storage sites will be established on an as-needed basis. Storage fees will be paid on a negotiated basis with individual vendors who store products that have been aggregated from other producers to be transported to the food banks. Prices will be based on current market prices in the local area.

Pricing for Transportation Providers

The NDA will pay approved transportation vendors a negotiated fee for round-trip delivery costs from the farm or storage site to the designated food bank(s).

Limits on Transportation Costs

The vendor will be paid the lower of: (a) the delivery fee as established in the Pricing for Transportation Providers section or (b) one-third the price paid for the product.

Examples:

- A vendor has a negotiated delivery fee of \$200 and delivers \$1,000 worth of product to the food bank. They will be paid the negotiated delivery fee of \$200.
- A vendor has a negotiated delivery fee of \$200 and delivers \$300 worth of product to the food bank. They will be paid \$100 (one-third the price paid for the product), which is lower than the negotiated delivery fee.

Losses

The vendor is responsible for storage, transportation, and safekeeping of all food and equipment. The vendor is financially responsible for all food losses due to improper storage, care, and handling.

Fraud, Waste, and Abuse

Anyone who becomes aware of the existence (or apparent existence) of fraud, waste, or abuse related to this program should immediately report this information to the NDA. Fraud, waste, and abuse include, but are not limited to, embezzlement, misuse or misappropriation of funds and false statements, whether by organizations or individuals.

The NDA reserves the right to conduct audits on the program, including the right to review agricultural production records of approved producer vendors.

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Records Management

Financial records, statistical records, supporting documents and other records pertinent to this program shall be retained for a period of three years from the date of allocation. Records that relate to audits, appeals, litigation, or settlement of claims arising out of the performance of the program shall be retained until such audits, appeals, litigation, or claims have been disposed of, but not earlier than three years from submission. The program manager or any duly authorized representatives of the NDA shall have access to any pertinent documents, books, papers, and records of the recipient organization to make audits, examinations, excerpts, and transcripts.

Fiscal Requirements/Restrictions

Cash advances will not be permitted.

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Appendix A—List of Eligible Foods

The following list has been approved by the designated food banks to meet their clients' needs and preferences. It is subject to change dependent upon the needs of the food banks and the introduction of other allowable foods.

Additional nutritional foods may be added upon request and approval by the NDA. Some nutritious foods may not be approved, based on the needs and preferences of the food banks.

- | | |
|-----------------------------------|--------------------------------|
| apples | radishes |
| asparagus | spinach |
| beans, green | summer squash, small/medium |
| beef, ground | tomatillos |
| beets | tomatoes |
| broccoli | turnips |
| cabbage | winter squash |
| cantaloupe | zucchini, small/medium |
| carrots (tops removed) | other, upon approval by the ND |
| chard | |
| cheese | |
| cherries | |
| chicken, whole | |
| cucumbers | |
| eggplant | |
| eggs | |
| garlic | |
| grains, retail size only | |
| grapes | |
| honey, 1 lb. or smaller, no glass | |
| kale | |
| lettuce, greens, salad mixes | |
| melons | |
| milk | |
| nuts | |
| onions | |
| peaches | |
| pears | |
| peppers, sweet and hot | |
| pork, ground | |
| potatoes | |
| pumpkins and/or winter squash | |

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