Forward Contract Instructions (adopted 6/15/2020)

This Forward Contract may be used after a Request for Proposals has been awarded. It is an agreement between the school and the vendor/farmer to provide the agreed upon product at the price from the RFP. If modified, it could also be used after an informal 3 bids and a buy to award a vendor for the product with an agreement to purchase.

This agreement clearly assigns responsibilities to the vendor to keep the school aware of growing and harvesting conditions that could impact the crop. It clearly assigns responsibilities to the school to actually order the products well ahead of time and finalize any delivery instructions.

Instructions for Customizing

Page 1

Print this on your district letterhead, fill in your official department name.

All procurement documents must have the date span - starting and ending dates.

Include your district enrollment so vendors know your scale and to promote your program.

Paragraph 2

To modify this for an informal purchase, change this paragraph by deleting “As an awarded vendor of the district’s RFP process” Start with “we would like this agreement to recognize…” and let it continue.

Paragraph 3

Enter the date range:

The **School Nutrition Program intends to buy Fresh Apples from date to date.**

Paragraph 4

**Specification -** cut and paste from your RFP or your informal bid. It must be the same as what you put out to bid.

Paragraph 5

Complete with vendor name and total quantity of purchase.

The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Grower/Producer) intends to grow, harvest and deliver these products.

Total quantity to be delivered (includes all schools listed previously): \_\_\_\_\_\_\_\_\_\_\_\_\_

Paragraph 6

Enter your payment terms

“Payments should be made within the following month on the district’s cycle.”

Know whether your district will allow a pre-buy under the CSA model; delete if you do not want to use this tool.

“If the vendor requires a Community Supported Agriculture model, up to 50% of the total value of the purchases may be paid at an agreed time before the planting season begins.”

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Paragraph 2

Contingency Plan - use this if it meets your needs but advanced contracts are dependent upon the risk shouldered by both the farmer/vendor and the school.

Paragraph 3

* + At the latest, one month prior, the vendor can request alterations to the RFP award

Include this to reduce the risk to both parties. If price is to be altered, it should be judged against a known standard such as the price increases from the USDA Boston Market.

Vegetables: <https://www.ams.usda.gov/mnreports/bh_fv020.txt>

Fruit: <https://www.ams.usda.gov/mnreports/bh_fv010.txt>

Decide whether you want to continue to get price information from this vendor and how often:

* Will send a price list of other products weekly/monthly to the District for additional purchases.

Signatures from both parties and contact information.

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