



# Contract User Guide for FAC104

## FAC104: How to Use the Statewide Contract for Landscaping Products, Parks and Recreation Equipment and Related Products, Supplies and Service

UPDATED: 11/10/2017

<b>Contract #:</b>	FAC104
<b>MMARS MA #:</b>	FAC104*
<b>Initial Contract Term:</b>	07/01/2017-06/03/2019
<b>Maximum End Date:</b>	[Two] 2 year extensions to 2021
<b>Current Contract Term:</b>	07/01/2017-06/03/2019
<b>Contract Manager:</b>	Gayle Gionet, 617-720-3381, <a href="mailto:gayle.gionet@state.ma.us">gayle.gionet@state.ma.us</a>
<b>This Contract Contains:</b>	Environmentally Preferable Products, Small Business Purchasing Program, MBE/MWBE/WBE, Service Disabled Veteran-Owned Business
<b>UNSPSC Codes:</b>	10-15-20, 10-15-00, 11-12-17, 11-11-00, 10-17-00, 49-24-15, 56-10-16, 49-20-00, 49-24-16, 72-14-13, 49-22-15

\*The asterisk is required when referencing the contract in the Massachusetts Management Accounting Reporting System (MMARS).

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# Contract User Guide for FAC104

**TIP: To return to the first page throughout this document, use the CTL + Home command.**

## Contract Summary

This is a Statewide Contract for Landscaping Products, Parks and Recreation Equipment and Related Products, Supplies and Service.

## Contract Categories

This contract includes 14 categories of products and service as listed below:

- Category 1: Nursery Products
- Category 2: Turf and Landscape Products
- Category 3: Compost and Mulch
- Category 4: Soil Aggregate Products
- Category 5: Fertilizer, Including Organic
- Category 6: Playground Equipment
- Category 7: Playground Surfaces
- Category 8: Site Furnishings/Amenities
- Category 9: Sport and Fitness Equipment
- Category 10: Outdoor Shelter/Shade Structures
- Category 11: Splash Pads and Water Play
- Category 12: Parks and Recreation Installation and Maintenance
- Category 13: Fencing, Railing, Decking, Partitions and Lockers
- Category 14: Related Specialty EPP Products

See full Category description by clicking [Appendix A](#)

## Benefits and Cost Savings

Statewide contracts are an easy way to obtain benefits for your organization by leveraging the Commonwealth's buying power, solicitation process, contracting expertise, vendor management and oversight, and the availability of environmentally preferable products.

- The Strategic Sourcing Services Team (SSST) has awarded the contract to Contractors who provided competitive pricing and/or discounts for the products and services being offered.
- Prompt Pay Discount is available by all Contractors.
- Volume Purchase Discounts are available from some Contractors. Please reference Contractor's attached "Price Sheet" on COMMBUYS for details.
- Contractors provide services that represent environmentally preferable practices wherever possible.



## Find Bid/Contract Documents

- To find all contract-specific documents, including the Contract User Guide, RFR, specifications, and other attachments, visit [COMMBUYS.com](http://COMMBUYS.com) and search for FAC104 to find related Master Blanket Purchase Order (MBPO's) information. All common contract documents are located in the "Conversion Vendor" Master Blanket Purchase Order (MBPO) for FAC104 and can be accessed directly by visiting [PO-17-1080-OSD03-SRC02-11112](http://PO-17-1080-OSD03-SRC02-11112)
- To find vendor-specific documents, including price sheets, see links to individual vendor MBPOs on the [Vendor Information](#) page.

## Who Can Use This Contract

### Applicable Procurement Law

Executive Branch Goods and Services: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00;

### Eligible Entities

Please see the standard list of Eligible Entities on our [Who Can Use Statewide Contracts](#) webpage.

## Subcontractors

The awarded vendor's use of subcontractors is subject to the provisions of the Commonwealth's Terms and Conditions and Standard Contract Form, as well as other applicable terms of this Statewide Contract.

## Construction Requirements

**OSD does not provide guidance on the Construction Law. Any questions must be directed to the purchasing entities legal counsel, the AG and/or IG.**

Purchasers must ensure that **any** services involving construction are limited to \$50,000 or less.

Purchasing entities are responsible for compliance with applicable construction law requirements. Information concerning specific M.G.L. c. 149 and c. 30 construction requirements may be found in the Office of the Inspector General's Public Procurement Charts at:

[www.mass.gov/ig/publications/guides-advisories-other-publications/procurement-charts-november-7-2016.pdf](http://www.mass.gov/ig/publications/guides-advisories-other-publications/procurement-charts-november-7-2016.pdf). It is the responsibility of the Eligible Entity to determine whether installation work includes construction as defined by M.G.L. c.149 or M.G.L. c.30, §39M. Chapter 30B Procurement Assistance from the Office of the Inspector General is available at [mass.gov/ig/procurement-assistance](http://mass.gov/ig/procurement-assistance). Access the 30B Hotline at 617-722-8838 or email them at: [30BHotline@massmail.state.ma.us](mailto:30BHotline@massmail.state.ma.us).



See [Quotes Including Construction Services Requirements](#) below for information on quoting these types of projects.

## Pricing, Quote and Purchase Options

### Purchase Options

The purchase options identified below are the only acceptable options that may be used on this contract:

All published contract pricing, including but not limited to firm pricing, contract discounts and all other pricing published under this contract is ceiling (not-to-exceed) pricing. Pricing is located in each Contractor's MBPO in COMMBUYS. All orders should include reference to SWC FAC104 to ensure Eligible Entities are receiving SWC pricing.

### Pricing Options

- **Ceiling/Not-to-Exceed:** Contract discounts and other pricing published under the contract represents "ceiling" or "not-to-exceed" pricing, and may be further negotiated.

### Product/Service Pricing and Finding Vendor Price Files

Product pricing may be found by the [vendor information](#) page, where links to all the vendors MBPO's should be provided.

### Setting Up a COMMBUYS Account

COMMBUYS is the Commonwealth's electronic Market Center supporting online commerce between government purchasers and businesses. If you do not have one already, contact the COMMBUYS Help Desk to set up a COMMBUYS buyer account for your organization: (888)-627-8283 or [COMMBUYS@state.ma.us](mailto:COMMBUYS@state.ma.us).

When contacting a vendor on statewide contract, always reference FAC104 to receive contract pricing.

### Quick Search in COMMBUYS

Log into COMMBUYS, and use the Search box on the COMMBUYS header bar to locate items described on the MBPO or within the vendor catalog line items. Select Contract/Blanket or Catalog from the drop-down menu.



## How To Purchase From The Contract

### Process for Ordering

For orders up to \$10,000 Eligible Entities may purchase directly from the Contractor of their choice without requesting multiple quotes. Although not required for orders under \$10,000 OSD strongly encourages Eligible Entities to request pricing and service information from multiple contractors to obtain the best value.

For orders over \$10,000 Eligible Entities are required to solicit multiple quotes from Contractors of their choice prior to issuing an order.

For existing play structures where replacement parts must be the same manufacturer, users are not required to solicit quotes if only one Contractor offers that manufacturer.

- **Solicit quotes and select and purchase quoted item in COMMBUYS**

This COMMBUYS functionality provides a mechanism to easily obtain quotes, as specified by the Contract. The buyer would create a Release Requisition, and then convert it to a Bid. After approval by the buyer approving officer, the bid is then sent to selected vendors to request quotes.

For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage, and select:

- The *COMMBUYS Purchase Orders* section, and choose the *How to Create a Solicitation Enabled Bid Using a Release Requisition* job aid or one of the quick reference guides.

- **Directly purchase a non-fixed price item (\$0 line item) through COMMBUYS**

Once a service and price is determined, the ordering process is as follows:

- Initiate a new requisition
- Search for the category (Use FAC104) in the description
- Select the Contractor you will be placing an order with
- Select the appropriate catalog line
- Enter "1" in the Quantity field and the total price in the Unit Cost field
- Attach the Contractor quote and/or a detailed order summary
- Submit for approval

For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage and select:

- The *COMMBUYS Requisitions* section, and choose the *How to Create a Release Requisition and Purchase Order*



*(Contract Purchase) job aid.*

### Prevailing Wage Requirements

The buyer has a legal obligation to request a prevailing wage schedule from the Department of Labor Standards (DLS) at [www.mass.gov/dols](http://www.mass.gov/dols). Questions regarding the Prevailing Wage Law may be answered by accessing the DLS website or by calling the DLS Prevailing Wage Program at (617) 626-6953.

**Eligible Entities must obtain a copy of the Contractors weekly payroll records to ensure that Prevailing Wage was paid.** The weekly payroll record must be reviewed prior to paying any invoice that includes Prevailing Wage. Chapter 149, § 27B requires the following information be contained on certified payroll records: For each employee, the name, address, occupational classification, hours worked and wages paid. For each apprentice, in addition to the aforementioned information, a photocopy of the apprentice's ID card. Example of certified payroll record (report form) <http://www.mass.gov/lwd/docs/dos/prevailing-wage/pw-payroll.pdf>

If prevailing wage is required, make sure to include this information in your quotes or bids so vendors know to include prevailing wage.

### Instructions for MMARS Users

MMARS users must reference the MA number in the proper field in MMARS when placing orders with any contractor. Contact the Comptroller Help and Support Desk at 617-973-2468 or via email at [Comptroller.Info@state.ma.us](mailto:Comptroller.Info@state.ma.us) for additional support.

### Environmentally Preferable Products (EPP)

[EPP Products and Services Guide](#)

### Emergency Services

Many statewide contracts are required to provide products or services in cases of statewide emergencies. [ML - 801 CMR 21](#) defines emergency for procurement purposes. Visit the [Emergency Contact Information for Statewide Contracts](#) list for emergency services related to this contract.

### Additional Information/FAQs

#### County Coverage

Contractors provide products and/or services based on County. A spreadsheet has been developed for buyers to determine the Contractors awarded in each County based on the category(s) being



purchased from. This is located as an Agency attachment in the [Conversion Vendor](#) in COMMBUYS titled “FAC104 Vendor Information” and included in the Contractor Information section. Please see the [county list link](#) for reference.

### Surcharges

No transportation, fuel, energy, insurance or any other surcharges will be allowed throughout the duration of the contract(s).

### Pre-payments

Contractors must not request any form of pre-payments by the Eligible Entity before the service is rendered. For special projects implemented in phases, by mutual agreement of the Eligible Entity and the Contractor, invoices must be issued after each phase is completed to the Eligible Entity’s satisfaction.

### Compliance with Construction Law

This contract may be used for construction related services as limited herein to *Category 12 Parks and Recreation Installation and Maintenance*.

### Geographical Service Area

[https://www.sec.state.ma.us/cis/cispdf/County\\_Map.pdf](https://www.sec.state.ma.us/cis/cispdf/County_Map.pdf)

### Other Discounts

- **Prompt Pay Discounts:** A discount given to the buyer if paid within a certain time period. These discounts may be found in the [Vendor List and Information](#) section below. All discounts offered will be taken in cases where the payment issue date is within the specified number of days listed by vendor and in accordance with the Commonwealth’s Bill Paying Policy. Payment days will be measured from the date goods are received and accepted / performance was completed OR the date an invoice is received by the Commonwealth, whichever is later to the date the payment is issued as an EFT (preferred method) or mailed by the State Treasurer. The date of payment “issue” is the date a payment is considered “paid” not the date a payment is “received” by a Contractor.
- **Volume Discounts:** discount is negotiated to buyer if a certain volume of product or service is purchased.



### **If the Needed Product Can Not be Found**

If a product and/or service cannot be found in the vendor's price sheet, it is recommended to contact the vendor directly to inquire if it is available for purchase on this contract. If the product and/or service meet the scope of the product category, the vendor may be able to add it to their product offerings.

If the product is not listed in the scope of the product category, a buyer may contact the Strategic Sourcing Lead to inquire whether the product may be purchased.

### **Performance and Payment Time Frames Which Exceed Contract Duration**

All term leases, rentals, maintenance or other agreements for services entered into during the duration of this Contract and whose performance and payment time frames extend beyond the duration of this Contract shall remain in effect for performance and payment purposes (limited to the time frame and services established per each written agreement). No written agreement shall extend more than 3 months beyond the current contract term of this Statewide Contract as stated on the [first page](#) of this contract user guide. No new leases, rentals, maintenance or other agreements for services may be executed after the Contract has expired.

### **Memorandum of Understanding/Statement of Work**

For any agreements buyers should always reference statewide contract FAC104 to ensure that they are receiving statewide contract pricing.





# Contract User Guide for FAC104

OPERATIONAL SERVICES DIVISION

## Vendor List and Information\*

Company Name	Contract Manager	Phone	Email	Category 1	Category 2	Category 3	Category 4	Category 5	Category 6	Category 7	Category 8	Category 9	Category 10	Category 11	Category 12	Category 13	Category 14	County Barnstable	County Berkshire	County Bristol	County Dukes	County Essex	County Franklin	County Hampden	County Hampshire	County Middlesex	County Nantucket	County Norfolk	County Plymouth	County Suffolk	County Worcester
Bigelow Nurseries, Inc.	Tim Hay, System Administrator	508-845-2143	timhay@bigelownurseries.com	X														X	X	X	X	X	X	X	X	X	X	X	X	X	X
BMC Corp.	Richard D. Corsetti II	781-273-0398	Rich@pipejetter.com			X	X															X				X					
Creative Recreation LLC	John Hollerbach – President	860.953.5336	john@creativerec.com					X	X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
DesignBuilt LLC dba Childscapes	Timothy J. Pesko	781-837-6412 office 617-947-1757 cell	tpesko@childscapes.net					X	X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
Douglas William Knotts, DBA Premier Park & Play	Douglas Knotts, President	617-244-3317	premierparkplay@verizon.net					X	X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
Dynamo Industries Inc	Ivan Hoffmann – Business Development	613-446-0030 x 1041	ivan.hoffmann@dynamoplaygrounds.com					X				X						X	X	X	X	X	X	X	X	X	X	X	X	X	X
Fibar Group, LLC	Ronald Pierantoni	800-342-2721 ext 307	ron@fibar.com							X								X	X	X	X	X	X	X	X			X	X	X	X
G. Lopes Construction Inc.	Peter Wolski, Sales Manager	(508) 813-1278	pwolski@glopes.com		X	X	X			X								X				X				X		X		X	X
Harrell's LLC	Greg Nicoll	908-698-2106	gnicoll@harrells.com		X			X										X	X	X	X	X	X	X	X	X	X	X	X	X	X
Helena Chemical Company	Louis Bettencourt, Sales Representative	978-580-8166	BettencourtL@HelenaChemical.com		X			X										X	X	X	X	X	X	X	X	X	X	X	X	X	X
Jamie T Construction, Inc.	James Tebou	508-846-9423	jamietconstruction@gmail.com												X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
JOHN WHELAN KINCHLA DBA AMHERST NURSERIES	John Kinchla, Owner	413-834-8873	jwk@amherstnurseries.com	X														X	X	X	X	X	X	X	X	X	X	X	X	X	X
KOMPAN, Inc.	Cindy Charlton	253-579-1015	cincha@kompan.com					X	X	X	X	X	X		X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lorusso Corp.	Jim Botti	508 695-3252	jbotti@lorussoco			X	X											X	X		X				X		X	X	X	X	X

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**OPERATIONAL SERVICES DIVISION**

Company Name	Contract Manager	Phone	Email	Category 1	Category 2	Category 3	Category 4	Category 5	Category 6	Category 7	Category 8	Category 9	Category 10	Category 11	Category 12	Category 13	Category 14	County Barnstable	County Berkshire	County Bristol	County Dukes	County Essex	County Franklin	County Hampden	County Hampshire	County Middlesex	County Nantucket	County Norfolk	County Plymouth	County Suffolk	County Worcester
			rp.com																												
M. E. O'Brien & Sons, Inc.	Meghan O'Brien	508-359-4200	meghan@obrienandsons.com					X	X	X	X	X	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X
M. Huberman, Incorporated	Claire Williams, Office Manager	781-233-4682	cwilliams@watergripmedia.com	X													X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
MRC Inc.	Megan Kerr, Bid Sales Manager	800-922-0070 ext. 1026	contracts@mrcrec.com						X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X
New England Recreation Group, Inc.	Charles Ramondo Jr.	508-393-1963	<a href="mailto:NERG@nerecgroup.com">NERG@nerecgroup.com</a>						X	X	X	X	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X
New England Recycling Co., Inc.	Peter Wolski	508-813-1278	PWolski@GLopes.com		X	X	X			X										X									X		
Northern Tree Service, Inc.	Timothy LaMotte	800-232-6132	kcambo@northern-tree.com							X								X	X	X	X	X	X	X	X	X	X	X	X	X	X
P&J Lawn and Landscaping, Inc.	Phillip J. Hock	860-485-2037	pjlandplay@gmail.com												X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
Park Street Playgrounds LLC	Margie Salt	978-664-0239	Msalt1@verizon.net					X										X	X	X	X	X	X	X	X	X	X	X	X	X	X
Pioneer Manufacturing Company	Daniel Ford	1-800-877-1500	dford@pioneerathletics.com		X							X						X	X	X	X	X	X	X	X	X	X	X	X	X	X
PJC & Company Ecological Land Care Inc.	Pam Newcombe, CEO	978-432-1019	pam@pjcorganic.com		X		X	X										X	X	X	X	X	X	X	X	X	X	X	X	X	X
Playground Maintenance Corp. dba Playground Medic	Janet Kunej	914-741-2228	Jeff@playgroundmedic.com											X				X	X	X		X	X	X	X			X	X	X	X
PLAYPOWER LT FARMINGTON INC   LITTLE TIKES COMMERCIAL	Valeria Callaway	573-631-3030	vcallaway@ltcps.com						X	X	X		X					X	X	X	X	X	X	X	X	X	X	X	X	X	X
ProBark Industries, Inc.	Michael Duchemin – VP Operations / General Manager	978-768-6999 or mobile 978-423-7346	michaeld@mayertree.com			X																X								X	X
Reale Associates Inc	Jody E Reale, President	781-837-6136	realeassoc@aol.com												X			X	X	X	X	X	X	X	X	X	X	X	X	X	X

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Rock Solid Construction	John McDougall	781-953-7787	rocksolidus@comcast.net												X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
Site Specifics, LLC	Cindy Maak, Principal	888-551-3155	cindy@sitespecifics.net						X	X	X		X	X					X			X	X	X	X						X
SiteOne Landscape Supply	Bids Department/ Molly Vorous Senior Bid Rep.	800-321-5325 ex 2550	bids@siteone.com	X	X	X		X										X	X	X	X	X	X	X	X	X	X	X	X	X	X
UltiPlay Parks & Playgrounds, Inc.	Michael L. Parody, President	866-575-7529 office / 617-908-7836 cell	mparody@ultiplayus.com						X	X	X	X	X		X			X	X	X	X	X	X	X	X	X	X	X	X	X	X
Winfield Solutions, LLC.	Michael C. Pajolel-, Senior Sales Representative	508-789 1529	MCPajolek@Lan dolakes.com		X			X									X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

\*Note that COMMBUYS is the official system of record for vendor contact information.

\*\* [PO-17-1080-OSD03-SRC02-11112](#) The Master MBPO is the central repository for all common contract files. Price files may be found in the individual vendor’s MBPO.

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## Appendix A:

### Category Descriptions

1. **Nursery Products** – includes live (plant) stock (shrubs, trees, bushes, ground covers, perennials and annuals, etc.), sod, low water plants, plants native to MA, and related products
2. **Turf and Landscape Products** – includes seed, sod, pesticide and related products including contractor and arborist tools and supplies, irrigation and water management supplies, landscape lighting, decorative stone, and related products
3. **Compost and Mulch** – includes compost and compost-manufactured loam (CML) for agricultural, landscaping, erosion control, and other appropriate applications
4. **Soil Aggregate Products** – includes items that can be added to the soil for enhancement purposes, whether for growth, aesthetics, drainage or safety, including but not limited to stone, gravel, soil amenities sand, topdressing and loam
5. **Fertilizer, Including Organic** – includes fertilizers, both synthetic and organic, and related tools and accessories
6. **Playground Equipment** – includes composite structures and individual components primarily for age groups 2-5 and 5-12
7. **Playground Surfaces** – includes athletic surfaces, tiles, synthetic grass, wear mats, engineered wood fiber (EWF), and poured in place (PIP) rubber for playgrounds, splash pads, courts, fields, and other related outdoor recreation
8. **Site Furnishings/Amenities** – includes but not limited to benches, trash receptacles, bike parking/racks, planters, tables and chairs, tree guards and gates, signage, grills, fire rings, bleachers, flag poles, water bubblers, pet friendly features, etc.
9. **Sport and Fitness Equipment** – includes sports related equipment for skate parks, bike parks, basketball courts, soccer fields, football fields, pickle ball courts, lacrosse fields, field hockey fields, tennis courts, volleyball courts, baseball fields, track and field events and other related sports facility equipment
10. **Outdoor Shelter/Shade Structures** – includes but is not limited to shelters, kiosks, bus stops, picnic shelters, dugouts, gazebos, park pavilions, playground shelters, sidewalk covers, portable restroom shelters, and sheds
11. **Splash Pads and Water Play** – includes splash pad/water play structures, sprays and individual components
12. **Parks and Recreation Installation and Maintenance** – labor is limited to \$50K or less under this contract per engagement
13. **Fencing, Railing, Decking, Partitions and Lockers** – includes fencing, railing, decking, partitions and lockers
14. **Related Specialty EPP Products** – products in this category must demonstrate environmental benefits e.g. less toxic athletic marking paint