

# ENE55: Electricity Statewide Contract

**UPDATED:** September 03, 2024

<b>Contract #:</b>	ENE55
<b>MMARS MA #:</b>	ENE55*
<b>Initial Contract Term:</b>	September 01, 2024 – August 31, 2027
<b>Maximum End Date:</b>	One (1) two-year (2) or Two (2) one-year (1) extensions to August 31, 2029
<b>Current Contract Term:</b>	September 01, 2024 – August 31, 2027
<b>Contract Manager:</b>	Michael Barry, 617-720-3182, <a href="mailto:Michael.barry3@mass.gov">Michael.barry3@mass.gov</a>
<b>UNSPSC Codes:</b>	83-10-18-00
<b>Updates:</b>	Energy Surcharges Mystic Generating Station

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

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# Contract User Guide for ENE55

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

## Contract Summary

This is a Statewide Contract for the purchase of the retail supply of Electricity from Direct Energy Business, LLC by the Executive Branch and other eligible entities which have been elected to participate in the procurement. This contract is serving to replace the previous statewide electricity contract, ENE49.

## Contract Categories

This contract includes 2 categories of electricity as listed below.

- Category 1: Firm Fixed Price  
Category 2: Firm-Fixed Price with Capacity Pass Through

## 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, in addition to:

- Competitive Pricing
- Qualified and Experienced Consultant (EnelX)
- Vetted and Qualified Vendor

## Find Bid/Contract Documents

- To find all contract-specific documents, including the Contract User Guide, RFR, specifications, and other attachments, visit [COMMBUYS.com](https://www.commbuys.com) and search for ENE55 to find related Master Blanket Purchase Order (MBPO's) information. All common contract documents are located in the "Master Contract Record" Master Blanket Purchase Order (MBPO) for ENE55 and can be accessed directly by visiting Master Blanket Purchase Order [PO-25-1080-OSD03-OSD03-33414](#).

## 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 [Eligible Entities Which May Use Statewide Contracts](#) webpage.

## Supplier Diversity Requirements

**When selecting vendor(s) without soliciting quotes or a statement of work, Executive Departments should follow below guidance:**

When selecting contractors and placing orders, Executive departments shall utilize diverse and small businesses to the extent possible based on contract terms, SDO and departmental policies, laws, and regulations. Additionally, departments

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shall make a preference for contractors with higher SDP commitments and/or performance whenever such information is available (or is requested from contractors by the department) and the preference is feasible.

OSD provides up-to-date information on the availability of diverse and small businesses on statewide contracts through the [Statewide Contract Index](#) available on the COMMBUYS home page. See the “Programs (SDO and SBPP)” tab for current certification and small business status of contractors on this contract.

**When selecting vendor(s) from multiple quotes and statement of work, Executive Departments should follow below guidance:**

Requirements of the Small Business Purchasing Program for Small Procurements (expected annual value of \$250,000 or less) or the Supplier Diversity Program for Large Procurements (expected annual value exceeding \$250,000) apply to Executive Departments soliciting quotes or issuing statements of work.

**Small Business Award Preference:** In accordance with the Supplier Diversity Office’s SBPP Policy, Departments must award contracts for Small Procurements to SBPP-participating small business bidders if both of the following conditions are met:

- The response is received from an eligible small business; AND
- The response meets the Department’s best value criteria as defined in the RFR or RFQ.

**SDP Commitment:** Businesses awarded large Commonwealth contracts for goods and services (also called prime contractors or prime vendors) are required to make measurable financial commitments to do business with one or more diverse businesses (often called SDP Partners). This business-to-business relationship requirement applies to all Large Procurements for goods and services, which were historically defined as those expected to exceed \$150,000 in total spending. Effective July 1, 2021, Large Procurements will be defined as those expected to exceed \$250,000 in annual spending.

Executive departments should take into consideration contracted vendors SDP commitments when evaluating responses. Specifically, the following fields of the new SDP Plan Form correspond to the goals stated above:

Type of information collected from bidders	Possible use of the information by the SST
SDP focus statement	Assess the bidder’s level of integration of supplier diversity into company operations.
SDP policy link or attachment (if any)	
Additional creative initiatives (if any)	
SDP commitment – subcontracting	Evaluate the bidder’s SDP commitment.
SDP commitment – ancillary	
SDP commitment – total	
List of proposed partners	Assess the likelihood of the bidder meeting their SDP commitment.
Company prior year spending with the list of partners (if available)	
Company average gross annual revenue	If deemed necessary by the Agency or Statewide Contract Strategic Sourcing Team (SST) and included in the evaluation criteria, consider the bidder’s company size during the

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	evaluation of the ancillary SDP commitments and total prior year spending.
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#### Key Evaluation Requirements

The following key requirements apply to the evaluation of submitted SDP Plans:

- At least 25% of the available evaluation score must be dedicated to the evaluation of the bidder's SDP Commitment.
- The majority of the SDP evaluation score should be dedicated to the bidder's SDP commitment.
- bidders offering more value in their SDP Plan submissions must receive higher scores.

#### Other Requirements:

Expected annual value of the RFQ	RFQ process requirements
Less than or equal to \$250,000/year	<ul style="list-style-type: none"> <li>• <b>Notify at least two small businesses</b> capable of providing the product or service of the opportunity, if available.</li> <li>• Include SBPP contract language and place it prominently within the RFQ. <a href="#">See SDO Template Language.</a></li> <li>• Evaluate bids received from, and award a contract to, an SBPP-participating small business that meets the department's best value criteria.</li> <li>• Award to a large business only if there is no SBPP participating business meeting departments' best value criteria.</li> <li>• Conduct a clarification/BAFO/negotiation before disqualifying an SBPP-participating business based on price or desirable criteria.</li> <li>• See the <a href="#">Best Value Evaluation of Responses to Small Procurements: A Guide for Strategic Sourcing Teams</a> for additional guidance.</li> </ul>
More than \$250,000/year	<ul style="list-style-type: none"> <li>• <b>Notify at least two diverse and/or small businesses</b> capable of providing the product or service of the opportunity, if available.</li> <li>• Make a preference for contractors with higher SDP commitments and/or performance whenever such information is available (or is requested from contractors by the department) and the preference is feasible.</li> <li>• See the <a href="#">Best Value Evaluation of SDP Plan Forms: A Guide for Strategic Sourcing Teams</a> for additional guidance.</li> </ul> <p><b>Note:</b> Departments may ask the prime Contractor for an additional SDP commitment specifically related to the Department's purchase or engagement. SDP spending for such a purchase or engagement must be reported by the Contractor using the SDP Reporting Form directly to the Department and may not be included in any other SDP reporting filed by the Contractor.</p>

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OSD provides up-to-date information on the availability of diverse and small businesses on statewide contracts through the [Statewide Contract Index](#) available on the COMMBUYS home page. See the “Programs (SDO and SBPP)” tab for current certification and small business status of contractors on this contract.

## Pricing, Quote and Purchase Options

### Purchase Options

Purchases made through this contract will be direct, outright purchases. When contacting a vendor on statewide contract, always reference ENE55 to receive contract pricing.

**Executive Departments:** All Executive Departments are required to use statewide contracts for their purchases if the goods/services they seek are available on a statewide contract. Executive agencies are required to utilize COMMBUYS for all statewide contract purchasing activity. For further details please see the [Best Value Procurement Handbook](#).

**Eligible Entities:** All Non-Executive Eligible Entities are encouraged to utilize COMMBUYS for all statewide contract purchasing activity, however the use of COMMBUYS is not required.

### Pricing Options

Contract pricing has been negotiated and no further negotiations may be made for the following pricing types:

- Category 1: Firm Fixed Price
- Category 2: Firm-Fixed Price with Capacity Pass Through

**Pricing and buying details:** This contract has two pricing options which have been negotiated and **no further negotiations may be made** (one per category).

- **Category 1:** Firm Fixed Price - the rate is \$0.11060 cents per kWh for meter reads from September 2024 –August 2027 for pre-award participants. Post-award accounts will be priced at the then current market rate through the contract end date
- **Category 2:** Firm-Fixed Price with Capacity Pass Through - the rate is \$0.10199

### Fuel Securitization Reliability Must Run (RMR) surcharges for Mystic Generating Station:

- RMR
- IEP/FSS

**Both surcharges are allowed though rates are subject to change.**

### 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 [OSDhelpdesk@mass.gov](mailto:OSDhelpdesk@mass.gov).

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When contacting a vendor on statewide contract, always reference ENE55 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

- **Document items in COMMBUYS that have already been purchased**

This type of contract allows buyers to document a contract purchase in COMMBUYS that already has taken place through a Request for Payment Authorization (RPA) Release Requisition. It also allows MMARS users to easily keep track of spend. NOTE: MMARS and COMMBUYS do not interface –payment request and invoice should be reported in both MMARS and COMMBUYS separately.

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 an RPA Requisition* job aid.

### Obtaining Quotes After Contract Start Date

Eligible Entities wishing to participate after the contract award must contact the Contract Manager, sign a LOA (Letter of Authorization) with Direct Energy (NRG) and provide copies of three (3) months of invoices per account. If pricing is agreed upon, Eligible Entities will be required to execute a Memorandum of Understanding (MOU) which will bind them to the contract pricing and terms established by the Operational Services Division.

### Instructions for MMARS Users

MMARS users must reference the MA number (ENE55) in the proper field in MMARS when placing orders with any vendor/contractor. Contact the Comptroller Help and Support Desk at 617-973-2468 or via email at [comptroller.info@mass.gov](mailto:comptroller.info@mass.gov) for additional support.

### Environmentally Preferable Products (EPP)

Each year the Retail Suppliers must show that they have purchased a sufficient amount of Renewable Energy Certificates (RECs), Alternative Energy Certificates (AECs), Waste Energy Certificates (WECs), Solar Renewable Energy Certificates (SRECs), and Solar Renewable Energy Certificate IIs (SREC IIs) to meet the Minimum Standard for that class.

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

All agreements for services entered into during the duration of this contract (ENE55) must terminate on or before the contract end date stated on the first page of this contract user 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 Response Supplies, Services and Equipment Contact Information for Statewide Contracts](#) list for emergency services related to this contract.

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## Strategic Sourcing Team Members

- Nicauris Santana, Operational Services Division
- Mark Richards, Operational Services Division
- Jon Harvey, EnelX
- Jarred Clement, EnelX
- Elizabeth Isenstein, DCAMM
- Paul Lopes, DOER
- Eric Friedman, DOER
- Dave Lewis, DCAMM

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# Contract User Guide for ENE55

## Vendor List and Information\*

Vendor	Master Blanket Purchase Order #	Contact Person	Phone #	Email	Categories	Counties	SDO Certification Type	SDP Commitment Percentage
**[Master Contract Record] [Master MBPO] (All contract documents)**	<a href="#">PO-25-1080-OSD03-33414</a>	Michael Barry	617-720-3182	michael.barry3@mass.gov	N/A	N/A	N/A	N/A
Direct Energy Business, LLC (NRG)	<a href="#">PO-25-1080-OSD03-33547</a>	James Razzaboni	203-444-6314	james.razzaboni@nrg.com	Category 1: Firm Fixed Price Category 2: Capacity Pass-Through	All	N/A	1%

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

\*\*[The Master Contract Record MBPO] is the central repository for all common contract files.

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