

# ENE57 Renewable and Alternative Energy Portfolio Standards and Services

UPDATED: May 30, 2024

<b>Contract #:</b>	<b>ENE57*</b>
<b>MMARS MA #:</b>	<b>ENE57*</b>
<b>Initial Contract Term:</b>	<b>March 31, 2024-March 31, 2026</b>
<b>Maximum End Date:</b>	<b>Two (2) three (3)-year renewal options through March 31, 2032</b>
<b>Current Contract Term:</b>	<b>March 31, 2024-March 31, 2026</b>
<b>Contract Manager:</b>	<b>Dave Lewis, 617-413-1917, dave.lewis@mass.gov</b>
<b>This Contract Contains:</b>	<b>Environmentally Preferable Products, Small Business Purchasing Program, MBE/MWBE/WBE, Service-Disabled Veteran-Owned Business, DCAMM Designated SWC status, Single Vendor</b>
<b>UNSPSC Codes:</b>	<b>83-10-19 (Energy Conservation); 83-10-19-00-00-90 (EPP – Energy Conservation)</b>

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## Contract Summary

This is a Statewide Contract for ENE57 Renewable and Alternative Portfolio Standards and Services. ENE57 is a Division of Capital Asset Management and Maintenance (DCAMM) designated Statewide Contract and it is jointly managed by DCAMM and OSD. ENE57 replaces Statewide Contract FAC109. This contract was previously under the Facilities Maintenance, Repairs and Services (FAC) Statewide Contract category, it has since been reassigned to the Energy, Utilities and Fuel (ENE) contract category. All references to this type of service under the FAC category will be updated to accurately reflect this change.

The Contractor must provide all equipment, devices, data collection, testing and any additional products and/or services necessary to qualify Customer Assets for Renewable Energy Portfolio Standard (RPS) and/or Alternative Portfolio Standard (APS). Furthermore, the contractor will compile and submit all necessary documentation required to create and certify all environmental certificates as being marketable and maintain all ongoing certifications as required. In cases where an Eligible Entity requires services above and beyond those described above, Contractors will be allowed to provide additional/consulting services on a fee-for-service basis related to the markets, assets and types of ECs traded. This contract is relevant for Eligible Entities that own onsite sources of renewable or alternative energy or would like to purchase REC's. Please note, services related to clean heat standard are currently in development.

## Contract Categories

This contract includes four (4) mandatory categories and one (1) category for preferred services related to Clean Heat Standards (currently under development). See all categories listed below:

Category 1	Alternative Portfolio Standard (APS)
Category 2-Part 1	RPS/Class 1/Class 2 and maintenance of SREC II resources
Category 2-Part 2	Purchase of Voluntary Energy Credits
Category 3	Clean Peak Energy Standard Credits
Category 4	Repair and other support services- Fee for Service
Category 5	Services Related to Clean Heat Standard

## 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.

## Revenue Generating Contract

This contract is designed to derive revenue from Eligible Entities for generating renewable and alternative energy credits.

## No Upfront Cost

Eligible Entities do not incur any upfront cost for assessing the feasibility of their participation in the program and for marketing of credits for Categories 1, 2 (Part 1) and 3.

## Non-Routine Work

In some instances, a fee for service charge will apply for extensive applications such as necessary under Category 4 requiring additional engineering analysis and/or for metering.

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Sites may require non-routine work to become eligible to apply as an approved generator of Energy Certificates. Under this contract, non-routine work costs are not included in the revenue share but may be included under this contract as a separate charge based on the contracted hourly rate(s) and materials. These non-routine costs can be paid through program revenue if approved by one contract administrator and the Eligible Entity.

## Find Bid/Contract Documents

- All common contract documents are located in the “Master Contract Record” Master Blanket Purchase Order (MBPO) for ENE57 and can be accessed directly by visiting [PO-24-1080-OSD03-SRC3-32336](#) Or to find all contract-specific documents, including the Contract User Guide, RFR, specifications, price sheets and other attachments, visit [COMMBUYS.com](#) and search for ENE57 to find related Master Blanket Purchase Order (MBPO) information.
- 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;  
Construction Materials and Services: G.L. c. 149, s. 44A; G.L. c. 30, § 39M.

### Eligible Entities

Please see the standard list of Eligible Entities on our [Eligible Entities Which May 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

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: <https://www.mass.gov/download-oig-public-purchasing-and-public-construction-manuals>. 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 <https://www.mass.gov/how-to/get-public-procurement-assistance-from-our-chapter-30b-team>. Access the 30B Hotline at 617-722-8838 or email them at: [30BHotline@massmail.state.ma.us](mailto:30BHotline@massmail.state.ma.us).

Questions about public construction bidding should be directed to Deborah Anderson, Counsel II for the Attorney General's Office, at 617-963-2371. Visit the Attorney General's [Public Construction web page](#) to learn more about Public Bidding Laws.

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

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## 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 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)	

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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 evaluation of the ancillary SDP commitments and total prior year spending.

#### 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</p>

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	Reporting Form directly to the Department and may not be included in any other SDP reporting filed by the Contractor.
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## Pricing, Quote and Purchase Options

### Purchase Options

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

- Categories 1, 2 (Part 1), and 3 - this contract is not associated with any expenditure on the part of the Eligible Entity. The Contractor is paid, by the buyers, by taking a percentage of the sale of Renewable Energy Credit Certificates (RECs), Alternative Energy Credit Certificates (AECs) and Clean Peak Energy Credit Certificates (CPECS) for energy generated at your facility.
- Categories 2, Part 2 and 4, the acquisition method for this contract is outright purchase.

### Eligible Entity Classification for This Contract

For the purpose of this contract, all Eligible Entities are divided into two groups with contract activity coordinated by different Commonwealth agencies:

Group	Who is Included	Point of Contact
<b>DCAMM Coordinated</b>	Executive, Legislative and Judicial Branches, including all Departments and elected offices therein, public hospitals owned by the Commonwealth and entities under the Executive office of Higher Education	Dave Lewis Energy Efficiency and Sustainable Buildings Group Division of Capital Asset Management 1 Ashburton Place, Boston, MA. 02108 Phone: 617-413-1917 <a href="mailto:Dave.lewis@mass.gov">Dave.lewis@mass.gov</a>
<b>Non-DCAMM Coordinated</b>	Includes independent public authorities, commissions and quasi-public agencies, public institutions of higher education, municipal government entities and all other entities outside of the DCAMM Coordinated group	Joanne Bissetta Deputy Director Green Communities Division of Energy Resources 100 Cambridge St. Boston, MA. 02114 617-626-7300 <a href="mailto:Joanne.bissetta@mass.gov">Joanne.bissetta@mass.gov</a>

### Process for Engaging the Contractor

Contract users are instructed to contact the contract manager for the contract (see the table above) for guidance on engaging the contractor. In addition, Eligible Entities will be required to:

- Provide access to all necessary areas of its facilities and all available utility information as needed by the Contractor.

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## OPERATIONAL SERVICES DIVISION

- Assist DCAMM and the Contractor in a one-time preparation and submittal of information required by DOER for a proper RPS/APS/CPECS Statement of Qualifications Application (SQA). Information will include but not be limited to: appropriate electrical drawings, equipment specifications, metering specifications (including DAS provider information), utility interconnection authorization and other information as required. The Municipal or Governmental Entity may utilize the Contractor for the SQA application with the understanding that an additional fee will be charged by the Contractor for the service.
- Provide the Contractor contact lists with names & contact numbers for key employees and keep the lists current.
- Provide the contract administrators with at least one contact for resolution of operating issues (such as data acquisition issues) and monetary transactions (such as payment confirmation or setting up EFT).
- For organizations using COMMBUYS:
  - Categories 1, 2 & 3: No action in COMMBUYS is required in the system for sales transactions.
  - Category 4: Create a new Release Requisition and once approved, PO to be sent to the contractor. The catalog item for the purchase can be located by Master Blanket Purchase Order PO-24-1080-OSD03-SRC3-32344; Vendor ID: 00028772, or description search: "Purchase of Renewable Energy Certificates (RECs)." See below

### Category 4 only: Notice to Proceed DCAMM Coordinated Sites

Contractor shall not commence any installation of new equipment, or repair, upgrade, or replacement of existing equipment without first receiving a written authorization from the Department to proceed with the work for an agreed upon price ("Notice to Proceed"). Prior to installing any new equipment or repairing existing equipment, Contractor(s) must first submit a proposed scope of work and quote to the Department. Alternatively, the Department may email the Contractor identifying an installation or repair task and request a proposed scope of work and quote within a certain time period. Contractors shall respond to such requests within the specified time period with a proposed scope of work and quote. All pricing for Contractor's quotes shall be based upon Prevailing Wage rates in accordance with the Prevailing Wage Law, as administered by the Commissioner of Labor and Workforce Development/Division of Occupational Safety. Upon receipt of a Notice to Proceed, Contractor shall promptly commence and diligently perform the specified work in accordance with the Contract. A Notice to Proceed work may include additional instructions regarding security protocols and procedures for site access that Contractor must comply with in order to complete the approved work.

Contractor shall be responsible for ensuring that all equipment and the installation, repair, and/or replacement thereof performed by Contractor under this Contract is in compliance with all applicable laws, including, without limitation, that all required permits, approvals, and licenses required by law for the installation, use, and operation of the equipment are secured and paid for by Contractor in advance.

### Category 4 only: Notice to Proceed Non DCAMM Coordinated Sites

Non DCAMM Coordinated Sites, including independent public authorities, commissions and quasi-public agencies, public institutions of higher education, municipal government entities and all other entities outside of the DCAMM Coordinated group should follow their internal business process to receive written authorization if needed.

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

Product pricing may be found in the below table or by accessing the Contract Documents on COMMBUYS. See the [vendor information](#) page for details.

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OPERATIONAL SERVICES DIVISION

### Rate Tables

Category	% revenue to Program Participant	% revenue to Vendor
1 (APS)	85	15
2 Part 1 (Class 1 & 2) *	85	15
SREC II	95	5
2 Part 2 (REC Purchase)		8% markup + Time and Materials
3 (CPEC)	85	15

\*if portfolio volume is greater than 50,000 in volume per year (Class 1 & 2) then % revenue to program participant increases to 95%

### Category 4: Hourly Rates

Employee level	Hourly rate
Executive	\$250
Manager	\$200
Sr Engineer	\$200
Engineer	\$175
Jr Engineer	\$135
Accounting	\$75
Clerical	\$75
% markup on Equipment provided	8%
Technician	\$175

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## Category 4 - SQA Related Services

### Register new RPS assets

Per Asset
Time and Materials    Not to exceed \$3,000

### Asset Conversion

Per Asset
Time and Materials

## Category 4: APS registration

Category	Size	Fee
GSHP/ASHP System		Time and Materials
CHP System		Time and Materials

## Category 4: Clean Peak Registration

Category	Size	Fee
CPEC		Time and Materials Not to Exceed \$3,750

## 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).

Per 801 CMR 21.00, Executive Branch Departments must use established statewide contracts for the purchase of commodities and services. Specifically, Executive Departments are required to use OSD's statewide contracts, including designated statewide contracts, if available, for their specific commodity and service needs. Exceptions will only be permitted with prior written approval from the Assistant Secretary for Operational Services, or designee.

When contacting a vendor on statewide contract, always reference ENE57 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.

## Obtaining Quotes

Contract users should always reference ENE57 when contacting vendors to ensure they are receiving contract pricing. Quotes, not including construction services, should be awarded based on best value.

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

- The *COMMBUYS Purchase Orders* section, and choose *Request Quotes From Vendors on Statewide Contracts* job aid.

## Quotes Including Construction Services

Please note specific requirements that apply for quoting construction services, depending upon the scope of your bid:

See [Process for Engaging the Contractor](#) above.

## Prevailing Wage Requirements

The Massachusetts prevailing wage laws require that covered employees on public works projects be paid a minimum hourly rate set by the Department of Labor Standards (DLS). The prevailing wage laws apply to both union and non-union employers and employees. 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). To get the proper rates for your region/job, you must request a determination. 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. For this contact, the following prevailing wage categories include: Category 4 Only (RFR Section 3.1.5.4)

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

In addition, all contracts by a state agency or state-assisted contracts for design, construction, reconstruction, installation, demolition, maintenance or repair must contain Workforce Participation Goals for minorities and women. This is required by M.G.L. c. 149, § 44A(2)(G). A “state-assisted contract” is a construction project undertaken by a political subdivision of the commonwealth or two or more subdivisions thereof for planning, acquisition, design, construction, demolition, installation, repair or maintenance whose costs are paid for, reimbursed, grant funded, or otherwise supported, in whole or in part, by the commonwealth. An affected awarding authority’s bid documents must include a reference to the specific goals that will be contained in the contract. The contract must also include the processes and procedures to ensure compliance with the Workforce Participation Goals, including reporting and enforcement provisions. For questions about the Workforce Participation Goals law, please contact Deborah Anderson at the Attorney General’s Office at 617-963-2371, or visit the Attorney General’s [Public Construction Bidding in Massachusetts FAQ](#).

The Office of the Attorney General’s Fair Labor Division is responsible for enforcing the prevailing wage laws. Visit [www.mass.gov/prevailing-wage-enforcement](http://www.mass.gov/prevailing-wage-enforcement) for more information.

## Instructions for MMARS Users

MMARS users must reference the MA number in the proper field in MMARS when placing orders with any contractor.

## Environmentally Preferable Products (EPP)

Under the RPS and APS regulations, all retail electricity suppliers must provide a minimum percentage of kilowatt-hours (kWh) sales to end-use customers in Massachusetts from eligible renewable and alternative energy generating sources. Contract users generating energy by such sources and receiving revenue through RECs or AECs may use this contract to provide equipment, devices, data collection, testing, and any additional products and/or services necessary to qualify Customer Assets for RPS and/or APS. These are all considered environmentally and climate preferable services.

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## 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.

## Additional Information/FAQs

### Geographical Service Area

This is a statewide contract.

### Product Specifications, including Environmental Standards and Requirements

Products and services purchased by state agencies must be in compliance with Executive Order 515, which requires Executive Departments to reduce their impact on the environment and enhance public health by procuring environmentally preferable products and services (EPPs) when EPPs perform to satisfactory standards and represent best value. EPPs are considered to be products and services that help to conserve natural resources, reduce waste, protect public health and the environment, and promote the use of clean technologies, recycled materials, and less toxic products. Questions concerning the EO, or the appropriate specifications may be directed to OSD's EPP Procurement Program, [www.mass.gov/epp](http://www.mass.gov/epp). The Order can be seen at [No. 515: Establishing an Environmental Purchasing Policy](#).

### Warranties

All equipment sold and installed, by the contractor, under the Contract will be new, free from defects in materials and workmanship, conform to all applicable laws, shall be installed properly in a good and workmanlike manner, and shall function properly for its stated purpose for a period of one year from the date of acceptance for the particular installation.

### Other Discounts

- **Volume Discounts:** (see contract rates)

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

Energy credit sales under this contract shall be consistent with the production period (when the credits were generated) and the associated Contract period. In the instance where the trading period of RECS belonging to the previous quarterly production period overlaps with the new contract period (i.e. for calendar production quarter 1, the January –March 2024 trading period closes on July 10, 2024 ), the vendor who is under contract with the previous production period credits shall control production and data for those assets in their NEPOOL account until such time as they are minted and sold. Revenue shall be transferred to the eligible entity per the terms of the Agreement. The new vendor Contractor(s) under the new contract shall control data and production commencing with the initial calendar quarter associated with the new contract which commences on April 1, 2024. The same terms will apply to assignment of any new contract (and Assets) following this RFR. Additionally, any renewable energy credits sold forward shall not extend beyond the total maximum contract duration.

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# Contract User Guide for ENE57

## Strategic Sourcing Team Members

- Dave Lewis, DCAMM
- Pat Peterson, DCAMM
- Joanne Bissetta, DOER
- Sorraia Tavares, OSD
- Kelly Minichello, OSD
- Kristen Patneade, MWRA
- Camille Clarke, OSD
- Michael Barry, OSD

# Contract User Guide for ENE57

## Vendor List and Information\*

Vendor	Master Blanket Purchase Order #	Contact Person	Phone #	Email	Categories	Counties	SDP Commitment Percentage
Master Contract Record	<a href="#">PO-24-1080-OSD03-SRC3-32344</a>	Camille Clarke	(617)251-1858	camille.l.clarke@mass.gov	N/A	N/A	N/A
Next Grid Markets, LLC	<a href="#">PO-24-1080-OSD03-SRC3-32336</a>	Heather Merhi	(617)721-0972	heather.merhi@nextgridmarkets.com	All	All	1%

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

\*\*The Master MBPO is the central repository for all common contract files. Price files may be found in the individual vendor's MBPO.