



FAC106 Contract User Guide

FAC106: Water Treatment Chemicals and Alternative Treatment Systems

UPDATED: October 4, 2019

Contract #:	FAC106
MMARS MA #:	FAC106*
Initial Contract Term:	11/1/2017 – 10/31/2020
Maximum End Date:	Two 1 year extensions to 10/31/2022
Contract Manager:	Ariola Molla, 617-720-3381, Ariola.T.Molla@mass.gov
This Contract Contains:	Supplier Diversity Program, Prompt Pay Discounts
UNSPSC Codes:	47-10-00; 47-10-15; 47-10-16; 49-24-17; 73-10-16; 83-10-15-03; 83-10-15-06; 83-10-15-07; 83-10-15; 83-10-16; 41-10-42

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

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Contract Summary

This is a Statewide Contract for water treatment chemicals, environmentally preferable alternative treatment systems, chemicals testing, systems/tank cleaning, and related.

This contract does not include services offered under the Statewide Tradespersons contracts TRD01, TRD02, TRD03, or TRD04.



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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 [Who Can Use Statewide Contracts](#) webpage.

Contract Categories

This contract includes 3 categories as listed below:

- Category 1 – Water Treatment Chemicals
- Category 2 – Services
- Category 3 – Alternative Technologies

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.

This contract offers the following benefits:

- Prompt Pay Discounts
- Bulk Order Discounts
- Volume Purchase Discounts
- Tiered Discounts

Find Bid/Contract Documents

- To find all contract-specific documents, including the Contract User Guide, RFR, specifications, price sheets and other attachments, visit COMMBUYS.com and search for "FAC106" to find related Master Blanket Purchase Order (MBPO) information.
- To link directly to the "Master File" MBPO for FAC106 click here: PO-18-1080-OSD03-SRC02-12430
- To find vendor-specific documents, including price sheets, see links to individual vendor MBPOs on the [Vendor Information](#) page.



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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:

- Direct, outright purchases
- Fee for service

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 related statewide contract purchasing activity. For further details please see the [Best Value Procurement Handbook](#).

Eligible Entities: All other Eligible Entities are encouraged to utilize COMMBUYS for all statewide contracts purchasing activity, however the use of COMMBUYS is not required. Eligible Entities may order via email, phone or fax as allowed by the vendor. To ensure that you are being offered statewide contract pricing, contract users should identify and reference the contract number “**FAC106**” when contacting the vendor for quote activity or placing an order.

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.
- **Quote/Proposal:** Customers seeking alternative treatment systems from Category 3 will need to request a proposal/quote from Category 3 vendors to explore their options.

Note to Eligible Entities: *Non-Executive Department buyers may contact vendors directly to receive contract item information and/or quotes.*

Obtaining Quotes

Customers should always reference “**FAC106**” when contacting vendors to ensure they are receiving contract pricing. Quotes, not including construction services, should be awarded based on best value.

Quotes Including Construction Services

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

- Where the construction services are less than \$10,000: Select a vendor based on sound business practices, consistent with your entity’s procurement policies and procedures.
- For construction services valued from \$10,000-\$50,000: Must solicit a minimum of three quotes and receive two written responses; award to lowest responsible bidder.



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How to Purchase From the Contract in COMMBUYS

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.

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

All vendor MBPO pages have a \$0.00 line item for the category/categories they are awarded. When placing an order in COMMBUYS a contract user needs to type in the total cost of the order and may add invoice/quote information as reference either by typing in the information or attaching as a PDF file.

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.

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.

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 Release Requisition* job aid.

Prevailing Wage Requirements

The buyer has a legal obligation to request a prevailing wage schedule from the [Department of Labor Standards \(DLS\)](#). Questions on 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 contract prevailing wage may apply to categories 2 and 3. If prevailing wage is required, make sure to include this information in your quotes or bids so vendors know to include prevailing wage.



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Environmentally Preferable Products (EPP)

Category 3 – Alternative Technologies

The purpose of Category 3 is to allow buyers to work with vendors on alternative and environmentally friendly system treatment options. Buyers may reach out to vendors in Category 3 to request quotes or proposals on their alternative system options.

Contract Exclusions and Related Statewide Contracts

Category 2 – Services

Services offered under available Statewide Contracts for Tradespersons are not offered under FAC106. Category 2 services are limited to any services relevant to water treatment systems that **do not conflict** with services already available under contracts TRD01, TRD02, TRD03, or TRD04. For more information on the Tradespersons contracts please visit our [Statewide Contract User Guides](#) webpage.

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.

Performance and Payment Time Frames Which Exceed Contract Duration

All 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 **thirteen (13)** 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.

If a Product or Service Can Not be Found

If any product or service relevant to the FAC106 contract cannot be found it is recommended to contact the vendor directly to inquire if it is available for purchase on this contract. If the product or service meets the scope of the product category, the vendor may be able to add it to their product offerings based on the approval of the OSD Contract Manager. Buyers may reach out to the OSD Contract Manager as well to inquire about products or services not currently available on FAC106.

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.



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Shipping/Delivery/Returns

- Vendors must be capable of delivering to all counties in the Commonwealth.
- All products must be delivered new and in unopened containers.
- Material Safety Data Sheet (MSDS) or Safety Data Sheet (SDS) must be provided on all chemicals at the time of delivery or upon request by Eligible Entity.
- All items must be packed in accordance with best commercial practice and in such a manner as to insure delivery in good condition and as specified in the purchase order.
- All chemicals must be properly labeled in accordance with all federal, state and local laws or requirements.
- The shelf life must be indicated on the product. No expired products will be accepted.
- All products must be shipped in approved containers compatible with the products being shipped.
- All products must be shipped in accordance with federal, state, and local regulations.
- All drums must be delivered with OSHA Product Information and Safety labels. If the OSHA labels are missing from the drums, the shipment will not be accepted and there will be no charge to the Eligible Entity.
- Any rejected product must be replaced as soon as possible or on an emergency delivery basis, as required by the purchasing entity.
- Containers are to be furnished by and will remain the property of the Contractor. Return of empty containers to the Contractor will be at the expense of the Contractor.
- The net weight invoiced must be the gross weight of each container less tare weight.
- The net weight for bulk chemical delivery trucks must be based on the machine-generated scale weight ticket that lists the gross, tare and net weights unless the Eligible Entity expressly agrees to a different means of measurement based on the Scale Weight Certificates specifications of the FAC106 RFR.

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: 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. Access the 30B Hotline at 617-722-8838 or email them at: 30BHotline@massmail.state.ma.us.

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



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Vendor List and Information*

Vendor	MBPO Page	Contact Person	Phone #	Email	Categories	Prompt Pay Discount(s)
<i>MASTER CONTRACT RECORD** (All contract documents)</i>	PO-18-1080-OSD03-SRC02-12430	N/A	N/A	N/A	N/A	N/A
Barclay Water Management, Inc.	PO-18-1080-OSD03-SRC02-12429	Lyanne Claudio	857-404-0321	lclaudio@barclaywater.com	1 and 2	5% off in 10 days 3% off in 15 days 2% off in 20 days
Borden & Remington Corp.	PO-18-1080-OSD03-SRC02-12428	Customer Service	508-675-0096 ext. 204 or 209	orders@boremco.com	1 and 2	1% off in 10 days
Coyne Chemical Company, Inc.	PO-18-1080-OSD03-SRC02-12426	Customer Service	1-800-523-1230	orders@coynechemical.com	1 and 2	1% off in 10 days
D & P Swimming Pool Inc.	PO-18-1080-OSD03-SRC3-13490	Judy Ryan	603-974-7923	judy@dppoolsonline.com	1 and 2	1% off in 10 days
<i>BEME Water Systems Solutions, Inc. dba Gurney Water Treatment NE</i>	PO-19-1080-OSD03-SRC3-15088	Dan Farnham	508-326-1358	dfarnham@gurneyne.com	1 and 2	5% off in 10 days 4% off in 15 days 3% off in 20 days 2% off in 30 days
Holland Co., Inc.	PO-18-1080-OSD03-SRC02-12425	Matt Holland	413-743-1292	matt.holland@hollandcompany.com	1	1% off in 10 days

NOTE: Contract User Guides are updated regularly. Print copies should be compared against the current version posted on mass.gov/osd.

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Vendor	MBPO Page	Contact Person	Phone #	Email	Categories	Prompt Pay Discounts
International Dioxide, Inc.	PO-18-1080-OSD03-SRC3-13553	Beth Shanahan	401-295-3641	beth.shanahan@ercoworldwide.com	1	1% off in 10 days
Azure Water Services, LLC dba Jamestown Technologies	PO-19-1080-OSD03-SRC3-14692	Jim Murphy	978-337-2361	jmurphy@azurewaterservices.com	1	1.5 % off in 15 days 1% off in 30 days
Nalco Company	PO-18-1080-OSD03-SRC02-12424	Bryan Mulik	609-954-6925	bwmulik@ecolab.com	1, 2, and 3	2% off in 10 days 1% off in 15 days 0.5% off in 20 days
Neponset Chemical & Eng. Inc.	PO-18-1080-OSD03-SRC02-12423	Richard Donovan	781-762-3466	nepchem@norwoodlight.com	1 and 2	5% off in 10 days 4% off in 15 days 2% off in 20 days
New England Testing Laboratory	PO-18-1080-OSD03-SRC02-12422	Richard Warila	401-353-3420	rich.warila@newenglandtesting.com	2	1% off in 30 days
Puraqua Pool Service, Inc.	PO-18-1080-OSD03-SRC3-13489	Cheryl Lawn	781-893-6300	cheryl@puraquapools.com	1 and 2	2% off in 10 days 1.5% off in 15 days 1% off in 20 days 0.5% off in 30 days
The Metro Group, Inc.	PO-18-1080-OSD03-SRC3-13486	Michael Flahive	781-932-9911	mflahive@metrogroupinc.com	1 and 2	3% off in 10 days 2% off in 15 days 1% off in 20 days

* Please note that COMMBUYS is the official system of record for vendor contact information.

** The "Master Contract Record" COMMBUYS page is the central repository for all common contract files.