



Contract User Guide for FAC98

FAC98: Floorcoverings and Accessories, Floorcovering Installation, Maintenance and Repairs

UPDATED: October 29, 2019

Contract #:	FAC98
MMARS MA #:	FAC98*
Initial Contract Term:	June 30, 2018 – June 30, 2021
Maximum End Date:	Two (2) year extension(s) to 2025
Current Contract Term:	June 30, 2018 – June 30, 2021
Contract Manager:	Kelly Thompson Clark, (617) 720-3184, Kelly.thompsonclark@mass.gov
This Contract Contains:	Environmentally Preferable Products, MBE/MWBE/WBE
UNSPSC Codes:	30-16-17 Flooring, 52-10-00 Floor coverings, 52-10-15 Rugs and mats, 72-10-27 Flooring service, 72-15-25 Floor laying services

*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 Floorcoverings and Accessories, Floorcovering Installation, Maintenance and Repairs. This contract covers the acquisition of carpeting, hard surface flooring, related products and accessories, and installation, maintenance and repair. All pricing on the contract is ceiling not to exceed and buyers can negotiate lower costs. When contacting a vendor on statewide contract, always reference FAC98. All services provided under the contract must adhere to the Construction Law and Prevailing Wage.

Contract Categories

This contract includes three categories of products and service as listed below.

- Category 1:** Carpet- Products in this category include broadloom, tile, related products and accessories.
- Category 2:** Hard Surface Flooring- Products in this category include resilient flooring (all types, including vinyl, linoleum, cork, and rubber), ceramic tile, wood flooring (all types, including engineered wood flooring and solid wood (pre-finished or unfinished), bamboo, and cork), laminate flooring, stone-related products and accessories.
- Category 3:** Installation, Maintenance and Repair- This category is for construction, reconstruction, alteration, installation, demolition, maintenance or repair services and, if needed, associated materials. This category also includes a turn-key service option.

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.

Additional benefits and cost savings include:

- Prompt Pay Discount – provided by all vendors.
- Volume Discounts provided by most vendors.
- Products must have 3rd party certifications for Categories 1 and 2.
- Category 3 includes a turn-key service option.

Find Bid/Contract Documents

- To find all contract-specific documents, including the Contract User Guide, RFR, specifications, and other attachments, visit COMMBUYS.com and search for FAC98 to find related Master Blanket Purchase Order (MBPO's) information. All common contract documents are located in the "Master Contract Record" Master

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Blanket Purchase Order (MBPO) for FAC98 and can be accessed directly by visiting Master Blanket Purchase Order PO-19-1080-OSD03-SRC01-13745.

- 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 [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. Vendors must disclose to purchasing entities when using subcontractors prior to entering into an agreement.

Construction Requirements

Purchasers must ensure that **any** services (labor) involving construction are limited to \$50,000 or less. **OSD does not provide guidance on the construction law.** Questions must be directed to an eligible entities legal counsel, the Attorney General (AG) and/or the Inspector General (IG).

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 [mass.gov/ig/procurement-assistance](https://www.mass.gov/ig/procurement-assistance). Access the 30B Hotline at 617-722-8838 or email them at: 30BHotline@mass.gov.

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 [web page](#) to learn more about Prevailing Wage and Public Bidding Laws.

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

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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:

- Purchases made through this contract will be direct, outright purchases.
- This contract also includes a fee for service component.

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.
- **Discount off of Manufacturers Suggested Retail Price (MSRP):** Contract pricing is a specified discount off of the MSRP/List catalog price. Further negotiations may be made based on volume.
- **Service Pricing:** Contract pricing is based on a %markup over Prevailing Wage for business and non-business/emergency hours. Also includes %markup for materials associated with the service.

Product pricing may be found in each Vendors’ MBPO. Each vendor has an attachment labeled Price Sheet which includes pricing for all products offered under the contract. Please note that some vendors have a Price Sheet and Price File. In this case the high level discounts are listed on the Price Sheet and the MSRP/List prices for manufacturer(s) are included in the Price File(s). Please reference the [vendor information](#) page below, where links to all the vendors MBPO’s are provided.

Quotes

Contract users should always reference FAC98 when contacting vendors to ensure they are receiving contract pricing. Quotes, not including construction services, should be awarded based on best value. The below guidance is for purchasing products only:

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 flooring where replacement pieces must be the same manufacturer, contract users are not required to solicit quotes if only one Contractor offers that manufacturer.

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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Labor vs. Parts and Material

When conducting quotes for a construction project the materials cost does not count against your \$10,000 or \$50,000 thresholds. Only the labor costs are counted against the thresholds.

Construction Project Labor Greater than \$50,000

If soliciting quotes for a construction project involving labor costs that will be greater than \$50,000 in construction related labor, Eligible Entity must go out to Public Bid. Tradesperson contracts cannot be used for labor costs exceeding \$50,000.

Please see Construction Law Compliance section of this document for additional guidance. *OSD does not provide guidance on this.* Questions around the Construction Law must be directed to the Eligible Entities legal counsel, AG and/or IG. **OSD does not provide guidance on the construction law.**

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. 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 3 Installation, Maintenance and Repair.

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, eligible entities must include this information in quotes or bids so vendors know to include prevailing wage.

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@mass.gov.

When contacting a vendor on statewide contract, always reference FAC98 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.

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Solicit quotes and select and purchase quoted item in COMMBUYS

FAC98 has a “Solicitation Enabled” MBPO pages on COMMBUYS. This feature allows COMMBUYS users to obtain quotes from multiple vendors at once from 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. Solicitation Enabled MBPOs have been set up for each category and include the awarded Contractors in that category. Eligible Entities should include “FAC98 RFQ” when entering information in the Description field.

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

All vendor MBPO pages have a \$0.00 line item for each category 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.

Specific product pricing may be found by in the Vendor MBPOs. See the [Pricing Options](#) section of this document 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)

Vendors awarded Category 1 and/or 2 offer Environmentally Preferable Products with mandatory 3rd party certifications. The required specifications may be found in the RFR located in the MBPO for all contract documents. In addition, Contractors have disclosed chemicals and ingredients, identified labeling capabilities and if product lines have an Environmental Product Declaration (EPD). Specific products meeting these requirements may be found on each Contractor’s Price Sheet in COMMBUYS. Please see the [Vendor List and Information](#) section of this document for a direct link to each vendor’s MBPO. Contract users may always reach out to vendors and the FAC98 Contract Manager to inquire about getting EPP Products.

Additional Information/FAQs

Awarded Contractors Spreadsheet

An Excel spreadsheet has been created for eligible entities to reference that includes consolidated awarded contractor information like Categories, County coverage, contact information, Prompt Pay Discount, etc. This is located in the Mater Contract Record in COMMBUYS. Please see the [Vendor List and Information](#) section of this document for a direct link to the Master Contract Record.

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In addition, an Excel Spreadsheet has been created for eligible entities to reference for Category 3 Installation, Maintenance and Repair which includes but is not limited to consolidated Contractors' % markup from prevailing wage, % markup material costs and indicates if the Contractor can offer turnkey service. This is located in the Category 3 Installation, Maintenance and Repair - Solicitation Enabled MBPO. Please see the [Vendor List and Information](#) section of this document for a direct link Category 3 Installation, Maintenance and Repair - Solicitation Enabled MBPO.

Geographical Service Area

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 Master Contract Record in COMMBUYS titled "FAC98 Vendor Information".

Product Specifications

All products must satisfy building code, IBC (International Building Code) Section 804 Interior Floor Finish - <https://codes.iccsafe.org/public/document/IBC2015/chapter-8-interior-finishes>, in addition to environmental specifications. For specifications of each product category please reference the Request for Response (RFR). This is located in the Master Contract Record.

Delivery Terms

If required, vendors have ability to arrange for delivery of products to Installation Company, marked and tagged with identity and destination of eligible entity.

Warranties

All products must carry a valid commercial warranty.

Returned Goods Policy

All products must carry a return policy. Return policies must be clearly stated and provided to the eligible entity prior to an order being placed by the vendor.

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 Awarded Contractors Spreadsheet. This is located in the Mater Contract Record in COMMBUYS. Please see the [Vendor List and Information](#) section of this document for a direct link to the Master Contract Record. 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:** Discounts are provided by most vendors and can also be negotiated to buyer if a certain volume of product or service is purchased.

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Turn-Key Service (Products and Installation) – Category 3

If an Eligible Entity seeks a turn-key service from room measurement and flooring ordering to installation to be provided, the Contractor at no additional charge to the Eligible Entity must measure the space, assist the Eligible Entity in the selection of flooring material, and provide a job quote that at a minimum includes the below:

- Flooring product pricing
- Installation pricing
- Materials/supplies

Contractors must be an authorized dealer/distributor for flooring products (carpet and hard surface) for turn-key service. Contractors must be awarded Category 1 and/or 2 for the flooring products OR must be an authorized dealer/distributor for an awarded manufacturer for Category 1 and/or 2 to offer turn-key service. Pricing from Category 1 and/or 2 must be honored and cannot be marked up for turn-key service.

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 three months beyond the current contract term of this Statewide Contract as stated on the [first page](#) of this contract user guide. This is only applicable to Category 3. No new leases, rentals, maintenance or other agreements for services may be executed after the Contract has expired.

Strategic Sourcing Team Members

- Alicia Culver, Responsible Purchasing Network
- Gene Deutsch, Department of Youth Services
- Jackie Lombardo, Division of Capital Asset Maintenance and Management
- James Millins, Department of Developmental Services
- Katherine Morse, Operational Services Division
- Thu Nguyen, Department of Transportation
- Katherine Thomas, Operational Services Division
- Ken Wertz, Massachusetts Facilities Administrators Association
- Julia Wolfe, Operational Services Division

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Vendor List and Information*

Vendor	Master Blanket Purchase Order #	MBE MWBE WBE Veteran	Contact Person	Phone #	Email	Category 1 – Carpet	Category 2 – Hard Surface Flooring	Category 3 – Installation, Maintenance and Repair
**[Master Contract Record] [Master MBPO] (All contract documents)	PO-19-1080-OSD03-SRC01-13745	N/A	N/A	N/A	N/A	X	X	X
Category 1 Carpet - Solicitation Enabled (use this to solicit quotes for Category 1)	PO-19-1080-OSD03-SRC01-13746	N/A	N/A	N/A	N/A	X		
Category 2 Hard Surface Flooring - Solicitation Enabled (use this to solicit quotes for Category 2)	PO-19-1080-OSD03-SRC01-13747	N/A	N/A	N/A	N/A		X	
Category 3 Installation, Maintenance and Repair - Solicitation Enabled (use this to solicit quotes for Category 3)	PO-19-1080-OSD03-SRC01-13750	N/A	N/A	N/A	N/A			X
American Sport Floors, Inc.	PO-19-1080-OSD03-SRC01-13763		Anthony J. Carbone	781-871-0878	asfestimating@verizon.net		X	X
Atkinson Carpet Installation Co., Inc.	PO-19-1080-OSD03-SRC01-13764	WBE	Andrea Hood	978-374-8333	andrea@atkinsoncarpet.com	X	X	X
Capital Carpet & Flooring Spec. Inc.	PO-19-1080-OSD03-SRC01-13765		Michael DaSilva	781-935-9430	mdasilva@capitalcarpetonline.com	X	X	X
dimauro carpet and tile, inc	PO-19-1080-OSD03-SRC01-13766		Paul Beturne	413-525-1991	paulbeturne@dimaurocarpet.com	X	X	X
Engineered Floors, LLC dba J+J Flooring Group	PO-19-1080-OSD03-SRC01-13767		Kay Henderson	800.241.4586 x8389	kay.henderson@jjflooring.com	X	X	
Interface Americas, Inc.	PO-19-1080-OSD03-SRC01-13768		Gregg Patten	413-209-7073	Gregg.Patten@interface.com	X	X	
Jeff Ollivierre's Carpets	PO-19-1080-OSD03-SRC01-13769	MBE	Jane S. Ollivierre	(508)999-2237	jcarpets@verizon.net	X	X	X
M. Frank Higgins & Co., Inc.	PO-19-1080-OSD03-SRC01-13770	WBE	Kathleen Cloud	860-953-6826	Kathleen.cloud@mfhiggins.com	X	X	X
Mannington Commercial, a business unit of Mannington Mills, Inc.	PO-19-1080-OSD03-SRC01-13771		Sean Martins	617-780-0629	sean_martins@mannington.com	X	X	
Mohawk Carpet Distribution, Inc.	PO-19-1080-OSD03-SRC01-13772		Stacey Ridley	(706) 879-6582	Stacey_ridley@mohawkind.com	X	X	X
new bedford floor covering sales company, Inc.	PO-19-1080-OSD03-SRC01-13773	MBE	Cecil M. Lopes	(508) 996-0103	clopes7465@aol.com	X	X	X
Nora Systems, Inc.	PO-19-1080-OSD03-SRC01-13774		Heri Sontgerath	(800) 336-5096	Heri.sontgerath@nora.com		X	
PAVILION FLOORS	PO-19-1080-OSD03-SRC01-13775		Arthur Resende	781-305-5411	arthur.resende@pavilionfloors.com	X	X	X
Shaw Industries Group, Inc.	PO-19-1080-OSD03-SRC01-13776		Kelly Sherrill	(770)387-7279	Kelly.Sherrill@shawinc.com	X	X	X
State Contract Carpet Co. LLC	PO-19-1080-OSD03-SRC01-13777		David Hage	(617) 276-2446	David.hage@statecarpet.com	X	X	X

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

**[The Master Contract Record MBPO] [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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