

## Contract User Guide for FAC98

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

**UPDATED:** December 15, 2023

<b>Contract #:</b>	FAC98
<b>MMARS MA #:</b>	FAC98*
<b>Initial Contract Term:</b>	June 30, 2018 – June 30, 2021
<b>Maximum End Date:</b>	June 30, 2025
<b>Current Contract Term:</b>	July 1, 2021 – June 30, 2025
<b>Contract Manager:</b>	Sean Corbin, Phone: 617-720-3105, <a href="mailto:sean.corbin2@mass.gov">sean.corbin2@mass.gov</a>
<b>This Contract Contains:</b>	Environmentally Preferable Products, MBE/MWBE/WBE
<b>UNSPSC Codes:</b>	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
<b>Updated:</b>	Vendor list

\*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 3 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

### Additional category information:

- Products must have 3<sup>rd</sup> party certifications for Categories 1 and 2.
- Category 3 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.

## 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](https://www.commbuys.com) and search for FAC98 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.

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## 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 involving construction are limited to \$50,000 or less. **OSD does not provide guidance on Construction law.**

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.

## Supplier Diversity Requirements

### Direct Vendor Selection:

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.

### Departments Required to Solicit Quotes or Issue a Statement of Work:

When soliciting quotes, the following requirements apply:

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.</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> </ul>

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	<ul style="list-style-type: none"><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><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.</li></ul>

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

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 is a fee for service contract

### 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 catalog price. Further negotiations may be made based on volume.

### 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).

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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## How To Purchase From The Contract

- **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. Buyers must 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.

## Obtaining 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 labor 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 labor services valued from \$10,000-\$50,000: Must solicit a minimum of three quotes and receive two written responses; award to lowest responsible bidder.

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

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### 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 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](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. 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 \(report form\)](#).

### 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 3<sup>rd</sup> 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.

### 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

#### 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

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specifications. For specifications of each product category please reference the Request for Response (RFR). This is 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 [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 provided to buyer if a certain volume of product or service is purchased.

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

If an Eligible Entity (Buyer) seeks a turn-key service from room measurement and flooring orders to installation, the Contractor at no additional charge to the Eligible Entity, must measure the space, assist the Eligible Entity in the selection of flooring materials, 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 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

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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. 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.

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## 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 Orsini, Department of Early Education and Childcare
- Thu Nguyen, Department of Transportation
- Katherine Thomas, Operational Services Division
- Kelly Thompson Clark, 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	Categories	SDP Commitment Percentage
**[Master Contract Record] [Master MBPO] (All contract documents)	<a href="#">PO-19-1080-OSD03-SRC01-13745</a>	N/A	N/A	N/A	N/A	1,2,3	N/A
Category 1 Carpet - Solicitation Enabled (use this to solicit quotes for Category 1)	<a href="#">PO-19-1080-OSD03-SRC01-13746</a>	N/A	N/A	N/A	N/A	1	N/A
Category 2 Hard Surface Flooring - Solicitation Enabled (use this to solicit quotes for Category 2)	<a href="#">PO-19-1080-OSD03-SRC01-13747</a>	N/A	N/A	N/A	N/A	2	N/A
Category 3 Installation, Maintenance and Repair - Solicitation Enabled (use this to solicit quotes for Category 3)	<a href="#">PO-19-1080-OSD03-SRC01-13750</a>	N/A	N/A	N/A	N/A	3	N/A
American Sport Floors, Inc.	<a href="#">PO-19-1080-OSD03-SRC01-13763</a>		Anthony J. Carbone	781-871-0878	asfestimating@verizon.net	2,3	3.3%
Atkinson Carpet Installation Co., Inc.	<a href="#">PO-19-1080-OSD03-SRC01-13764</a>	WBE	Andrea Hood	978-374-8333	andrea@atkinsoncarpet.com	1,2,3	1%
Capital Carpet & Flooring Spec. Inc.	<a href="#">PO-19-1080-OSD03-SRC01-13765</a>		Megan Surette	781-935-9430	<a href="mailto:megans@capitalcarpetonline.com">megans@capitalcarpetonline.com</a>	1,2,3	5%
Dimauro carpet and tile, Inc.	<a href="#">PO-19-1080-OSD03-SRC01-13766</a>		Paul Beturne	413-525-1991	<a href="mailto:paulbeturne@dimaurocarpet.com">paulbeturne@dimaurocarpet.com</a>	1,2,3	2%
Interface Americas, Inc.	<a href="#">PO-19-1080-OSD03-SRC01-13768</a>		Gregg Patten	413-209-7073	<a href="mailto:gregg.patten@interface.com">gregg.patten@interface.com</a>	1,2	10%
Jeff Ollivierre's Carpets	<a href="#">PO-19-1080-OSD03-SRC01-13769</a>	MBE	Jane S. Ollivierre	508-999-2237	<a href="mailto:jcarpets@verizon.net">jcarpets@verizon.net</a>	1,2,3	15%
Mannington Commercial, a business unit of Mannington Mills, Inc.	<a href="#">PO-19-1080-OSD03-SRC01-13771</a>		Sean Martins	617-780-0629	sean.martins@mannington.com	1,2	5%
New Bedford Floor Covering Sales Company, Inc.	<a href="#">PO-19-1080-OSD03-SRC01-13773</a>	MBE	Cecil M. Lopes	508- 996-0103	clopes7465@aol.com	1,2,3	2%
PAVILION FLOORS	<a href="#">PO-19-1080-OSD03-SRC01-13775</a>		Arthur Resende	781-305-5411	arthur.resende@pavilionfloors.com	1,2,3	10%
Shaw Industries Group, Inc.	<a href="#">PO-19-1080-OSD03-SRC01-13776</a>		Darrien Monroe	770.387.7281	<a href="mailto:darrien.munroe@shawinc.com">darrien.munroe@shawinc.com</a>	1,2,3	10%
State Contract Carpet Co. LLC	<a href="#">PO-19-1080-OSD03-SRC01-13777</a>		David Hage	617- 276-2446	<a href="mailto:david.hage@statecarpet.com">david.hage@statecarpet.com</a>	1,2,3	10%

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\*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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## Supply-Chain Questions:

Feel free to contact the vendors directly with any questions about process, products and/or availability. Please refer to the Vendor List on page 10 for all contact and MBPO information.

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