



Office of the Inspector General

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PROCUREMENT BULLETIN

Dear Public Officials,

As many of you know, professional training and development have been key priorities since I took office five years ago. As public officials and public professionals, continuing to improve and sharpen our skills simply makes us better at what we do. The more we learn, the better we can serve the public, our communities and the mission of our agencies or jurisdictions.

Recognizing the importance of professional development for our public leaders, the Legislature now requires all Housing Authority Boards of Commissioners to take a comprehensive, on-line training created by the Department of Housing and Community Development (DHCD) with the assistance of UMass Boston. This training is an outstanding learning opportunity. One of our staff took the training recently and was impressed by both its content and format. It thoroughly and clearly addresses a wide array of topics – such as governance, staffing, capital projects and resident participation – that every housing authority board member should know and understand.

If you are a board member for a housing authority, I encourage you to take advantage of this learning opportunity as soon as possible. Not only will it help you fulfill your obligations as a board member, the law contains penalties for failing to take the training. If you were appointed to your position, for example, failing to take the training could disqualify you from reappointment. So, if you have not already done so, please contact Gretchen Haupt at DHCD at (617) 573-1239 or Gretchen.Haupt@state.ma.us to register. You will gain valuable tools to help you serve your constituents and to perform your duties to the best of your abilities, as you swore to do upon taking office.

Similarly, I strongly recommend that all public employees seek out professional development opportunities. John F. Kennedy said, “Leadership and learning are indispensable to each other.” My Office has the Massachusetts Certified Public Purchasing Official (MCPPO) program, where we have designed general overview classes, advanced courses and specialized seminars for different types of public officials and job functions. Other state agencies – such as the Comptroller’s Office, the Ethics Commission and the Operational Services Division – also offer specialized trainings for public employees. Whatever role you play in government, continuing your professional development will enhance your ability to serve the public.

Finally, congratulations to the public officials who recently attained the MCPPO designation. This achievement exemplifies your commitment to your professional development. For a list of new MCPPO designees, please see page 19. As always, thank you for your time and consideration in reviewing my Office’s publications.

Sincerely,

Glenn A. Cunha
Inspector General

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IMPORTANT NOTICE

To report fraud, waste or abuse, please see the following contact information:

By 24-Hour Hotline:
(800) 322-1323

By Email:
[**IGO-FightFraud@state.ma.us**](mailto:IGO-FightFraud@state.ma.us)

By U.S. Mail:
Office of the Inspector General
One Ashburton Place, Room 1311
Boston, MA 02108



Practice Alert:
How Carefully Does Your Jurisdiction Check Vendor Invoices
as Part of its Contract Administration Process?

Recently, our Office learned that a vendor included “administrative fees” in invoices issued to a housing authority under a revenue-generating contract. The vendor deducted the “administrative fee” from the monthly payment it made to the housing authority even though this was not part of the contract between the housing authority and the vendor. The contract did not entitle the vendor to charge an administrative fee and the housing authority rightly refused to pay it. In addition, the vendor did not notify the housing authority before adding the fee to the invoice. As part of its contract administration process, the housing authority discovered the improper charges when it reviewed its invoices closely.

If you are not checking invoices carefully against your contract terms and conditions, your jurisdiction may be paying more than it should; or, in the case of a revenue-generating contract, your jurisdiction may be receiving less than it should. Vendors may charge fees and raise prices over the course of a contract, only if the contract allows for the same. If your contract does not permit the vendor to charge a specific fee, then your jurisdiction has a basis for contesting the application of any additional fee.

If you identify a fee or charge that is not accounted for in a contract between your jurisdiction and a vendor, contact the vendor for an explanation; or request a corrected invoice and a return of any improperly paid fees. If this fails, contact your local jurisdiction’s legal counsel because the vendor may have breached the contract. And always be vigilant in reviewing invoices for appropriate charges as a standard part of your contract administration process.



Chapter 30B Hotline: (617) 722-8838



Notice of Recently Published Bid Protest Cases from the Attorney General's Office

Submitted by the Fair Labor Division in the Attorney General's Office



The Attorney General's Office (AGO) plays a unique role in the enforcement of the public bidding laws. The AGO's Bid Unit resolves public building construction and public works construction bid disputes and renders decisions related to the following statutes:

- M.G.L. c. 30, § 39M – Public works construction (horizontal construction, such as bridges, roads, sewer lines)
- M.G.L. c. 7C, §§ 44-58 – Designer selection (selection of the engineer or architect on a public building contract)
- M.G.L. c. 149, §§ 44A-44J – Public building construction (vertical construction, such as schools and libraries)
- M.G.L. c. 149A – Alternative delivery methods (Construction manager at-risk – vertical construction; design-build – horizontal construction)
- M.G.L. c. 149, § 44D – Division of Capital Asset Management and Maintenance (DCAMM) decertification and denial of certification by DCAMM (appeals by contractors challenging decertification or denial of certification by DCAMM).

Below please find summaries of recent bid protests and findings. If you have any questions or wish to learn further information about requesting a bid protest hearing, please contact Deborah Anderson, Assistant Attorney General, Fair Labor Division at (617) 963-2371. To look up bid protest decisions, please go to the bid decision index at www.bpd.ago.state.ma.us.

Significant Bid Protest Cases:

Axtell's v. Massachusetts Department of Transportation (MassDOT): The total contract value, used to determine if the bidder's Single Project limit is sufficient, includes all components of the bid. Most MassDOT bids have more than one category in them. If one category is in excess of 60% of the project, that category is the one MassDOT uses. Protestor tried to break the project into its two components: crack sealing and pavement markings, and use its single contract limit to each component. Denied.

Biszko v. Fall River: Contract value was increased by 34% post-bid but pre-construction. The additional work was not unforeseen, and did not occur during the progress of the project. Extra work should have been bid out. Allowed.

John W. Egan v. Haverhill: There is no need for another round of prequalification when the scope of work has changed. Bidding does not take place in a Chapter 149 project until the design is final. Denied.

Foundation for Fair Contracting in Massachusetts v. North Shore Community College: Rule for award was not known to bidders. The awarding authority multiplied the regular hours by 75% and the overtime hours by 25% to determine the low bidder, but did not tell bidders this. Also, in a contract with option years, you include the option years in determining which procurement method should be used, since the contract may not be bid out again. Allowed.

The Inspector General's Office thanks the AGO for its submission to the Procurement Bulletin. The Fair Labor Division is responsible for ensuring that public construction bid laws are adhered to, among other duties.



The Application of Chapter 30B to Public Education and Government Programming

Local jurisdictions provide public education and government (PEG) programming in a variety of ways through different operational models. Whether the *Uniform Procurement Act*, also known as Chapter 30B of the Massachusetts General Laws (Chapter 30B), applies depends on the operational model a local jurisdiction chooses to provide PEG programming. Jurisdictions should research the various options and give thought to which model delivers the best value and service. This article addresses a few of the options available, but we urge your jurisdiction to conduct further research and consider which model works best for your community.

Some operational models require cable providers to supply all of the equipment, studio space and staff for PEG programming. In other instances, local jurisdictions may enter into a contract with a nonprofit organization to manage and deliver all aspects of PEG programming. Other jurisdictions choose to procure the supplies, services and real property needed to provide PEG programming and then manage PEG programming with internal staff. Some operational models require the application of Chapter 30B procurement procedures while others may not.

To provide some background, local jurisdictions may require cable operators to reserve certain channels for PEG programming under federal law. PEG programming is not the same as public television programming even though it is designed to provide non-commercial sources of news and information. Some PEG programming covers local governmental processes, including city council meetings, public school news and other local events of interests to the community. A local jurisdiction and cable company may enter into an agreement that identifies PEG programming channels and how PEG programming will be produced and delivered.

Local jurisdictions might agree to have a cable operator provide all aspects of PEG programming. This agreement would identify the facilities to be used, the content to be created or covered, as well as the equipment to be provided. In this instance, Chapter 30B procurement procedures may apply depending on the terms of the agreement with the cable company. Your jurisdiction should check with local counsel for advice on how to structure this type of agreement and determine whether Chapter 30B applies.

Some jurisdictions may decide to procure equipment and studio space directly. For example, a local jurisdiction may choose to provide PEG programming through its local public high school television station and use its own staff to create PEG content. When a local jurisdiction procures supplies and services to operate PEG programming, Chapter 30B applies. These procurements may include equipment such as television cameras, video players and microphones that will be used to produce PEG programming. Chapter 30B applies “to every contract for the procurement of supplies, services or real property . . . by a governmental body” without regard to the source of the funds.¹ See M.G.L. c. 30B, § 1.

¹The Commonwealth’s Department of Revenue published guidance to assist jurisdictions with the statutory framework related to the maintenance of PEG funds in different types of accounts; in particular revenue related to “cable franchise fees collected from customers by cable companies and other cable related monies negotiated in cable television agreements between the municipality and the cable television operator.” See Informational Guideline Release No. (IGR) 16-102 available at www.mass.gov/dor/docs/dls/publ/igr/2016/igr16-102.pdf.



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If a local jurisdiction uses the latter model, the estimated cost of the supplies will determine the process the jurisdiction must use. For instance, if the jurisdiction estimates the equipment needed to produce PEG programming to cost more than \$50,000, then it must follow the procedures for an invitation for bids (IFB) under Section 5 of Chapter 30B or a request for proposals (RFP) under Section 6 of Chapter 30B. If a local jurisdiction estimates the cost of the equipment needed to produce PEG programming to cost at least \$10,000 but not more than \$50,000, then it must use a written purchase description to solicit at least three written quotes from different vendors, awarding the contract to the lowest responsive and responsible vendor offering the lowest written price quotation for the needed supplies.

Likewise, Section 16 of Chapter 30B applies when a local jurisdiction needs to buy or lease a private facility in which to produce PEG programming. If the acquisition of the property interest is over \$35,000 and it is not an intergovernmental transaction (such as a public school classroom or local town hall), then the jurisdiction must advertise and solicit proposals pursuant to Section 16 of Chapter 30B.

Chapter 30B procurement procedures do not apply when a local jurisdiction hires an individual or nonprofit to provide PEG programming in its entirety, however. This agreement would fall under the definition of “grant agreement” under Section 2 of Chapter 30B. Section 2 of Chapter 30B excludes this type of agreement from Chapter 30B as “an agreement between a governmental body and an individual or a nonprofit entity, the purpose of which is to carry out a public purpose of support instead of procuring supplies or services for the benefit or use of the governmental body.” *See* M.G.L. c. 30B, § 2. In this situation, a local jurisdiction is not procuring supplies or services for its own benefit, but rather obtaining a service that is for the benefit and support of the public. For it to be considered a “grant agreement,” the agreement cannot be with a for-profit corporation, sole proprietorship or any form of business other than a non-profit. If this “grant agreement” model is used, then Chapter 30B does not apply. The Office of the Inspector General nevertheless recommends that local jurisdictions develop an accountable and transparent process to choose the recipient with whom it will enter into a “grant agreement” in order to achieve the best programming within the allotted budget.

In sum, jurisdictions should carefully choose the operational model that best serves its community when considering PEG programming. For Chapter 30B guidance on PEG programming, please contact the Chapter 30B hotline at (617) 722-8838. In addition, for municipal finance guidance on PEG programming, please consult the Division of Local Services website at www.mass.gov/dls.





Be Smart About Smartphones: Procure Mobile-Friendly Software and Applications

Local jurisdictions must make public information open and accessible to all members of the public. This includes information related to a wide variety of services and topics, from public meeting notices to voter registration deadlines to trash removal regulations. One important way for this information to be easily accessible is to ensure that your electronic data, including information posted on your local jurisdiction's website, is compatible with mobile phones and other devices.

The Office of the Inspector General encourages local jurisdictions that plan to procure website development and other web services to keep the use of mobile devices in mind. Will people be able to access your new website on a smartphone or a mobile tablet computer? Will hyperlinks, drop-down menus and search bars work with such devices? Will a person be able to perform the same functions (such as filling out a form) on a smartphone as they would be able to do on a desktop computer?

Technology experts predict that smartphones and mobile tablet computers will soon replace desktop computers and laptops as our primary means of accessing the internet. Today, 77% of American adults report that they own a smartphone, as opposed to the 35% who did in 2011, according to the Pew Research Center. In 2010, only 3% of American adults reported owning a mobile tablet computer. Today, that number has grown to more than half of all American adults. At the same time, 73% of American adults report owning a computer today, as opposed to the 80% who did in 2012. In short, smartphone ownership is increasing.

Importantly, investing in mobile-friendly resources is not only about catching the government up to the present. It is also about ensuring equal access to vital public resources. We hope you keep these kinds of issues in mind as your jurisdiction procures supplies and services related to website development and software, especially those used for the delivery of governmental services and opportunities to conduct business with your jurisdiction.





Frequently Asked Questions Relating to Procurement

Q1. Our Town Administrator asked if our local jurisdiction could switch to a subscription-based software service that will provide all of the administrative applications we need for billing. We bought our existing billing software outright as a supply and installed it on our network. We could keep our existing software, but the estimated software maintenance costs and related upgrades are very expensive. We are considering procuring subscription-based software instead. Do we use different procurement procedures to secure a subscription-based software service rather than a supply?



A1. No. Although the subscription-based software is a service and not a supply, the same procurement procedures and thresholds in Chapter 30B apply. However, there are significant differences between a supply contract versus a service contract; in particular, the way in which you estimate the value of the procurement determines which procurement procedures apply based on price thresholds. For a subscription service, the estimated cost of the procurement is the total cost of the service over the entire term (*i.e.*, length) of the contract, including any options to renew. For instance, if a subscription would cost an estimated \$10,000 a year and the contract term would be three years (with no options to renew), the estimated cost for the procurement would be \$30,000.

In addition, there is another important consideration. There is a possibility that a sole-source exception may apply if you decide to stay with your current software package and maintain it, instead of procuring a subscription-based service. Under Section 7 of Chapter 30B, you may conduct a sole-source procurement for the maintenance of your existing software as a supply if – after a reasonable investigation – you have determined that only one practicable source exists to maintain your existing software. Your reasonable investigation must be reduced to writing and be included in your procurement file.

Keep in mind that subscription-based service agreements often require monthly payments; this means that you must estimate the full value of the contract carefully in determining which Chapter 30B threshold level applies. Also, the cost of a subscription-based service may be higher than maintaining or upgrading your existing software outright. The software maintenance exception contained in Section 7 of Chapter 30B would not apply to a subscription-based service because your jurisdiction is not maintaining any software on its network. Section 7 of Chapter 30B applies to software maintenance only and not to the procurement of a new subscription-based service.

Finally, if the subscription-service contract term is over three years, Section 12(b) of Chapter 30B requires majority vote approval by your jurisdiction's governing body. Take all of these factors into consideration when determining whether to choose a subscription-based software service rather than maintaining your existing software.



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Q2. Part of our town's public library budget is subsidized by a local not-for-profit called "Friends of the Library." The "Friends of the Library" would like to hire a fundraising consultant to help raise money to donate to our library. Do they need to follow the procurement procedures in Chapter 30B?

A2. No. "Friends of the Library" is not a governmental body even though they are generating funds to be given to your town's library. Section 2 of Chapter 30B defines a governmental body as "a city, town, district, regional school district, county, or agency, board, commission, authority, department or instrumentality of a city, town, district, regional school district or county." Therefore, Chapter 30B does not apply. That is, "Friends of the Library" may independently procure, award, manage and pay for the fundraising consultant's services without following Chapter 30B procedures because they are not a governmental body under the statute. "Friends of the Library" may elect to incorporate Chapter 30B procedures into its procurement process, however, as part of its due diligence to get the best price or best value for the services it seeks.



Remember: Easy-to-Use Procurement Charts are Available on the Office of the Inspector General's Website

In a recent survey, we learned that Massachusetts procurement officials want simple-to-understand information about compliance with Massachusetts General Laws. The easy-to-use procurement charts our Office provides were cited as a helpful tool by respondents. These charts break down state laws that govern the procurement of supplies, services and real property, as well as the procurement of design and construction services, in a simple, single-page chart format.

The state developed and recently launched a new Mass.gov platform. You may navigate to the procurement charts on our Office's website at www.mass.gov/ig/publications/guides-advisories-other-publications. You may also consider maintaining them on your desktop for convenient access.

Your local rules may establish stricter or additional requirements that you must follow in addition to state requirements. Contact your chief procurement officer or legal counsel for advice regarding your local rules and procurement procedures.

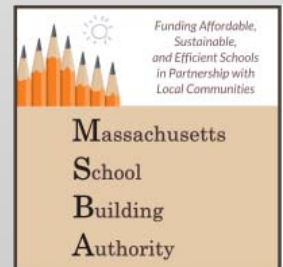


Massachusetts School Building Authority (“MSBA”) News

Submitted by the MSBA

In partnership with public school procurement professionals, state agencies, interior design professionals, vendors and manufacturers, the MSBA developed strategies and methods to save money on school furniture, fixtures and equipment (“FF&E”) purchases. These strategies and programs will be shared with interested parties in a variety of trainings and seminars this fall. The MSBA aims to stretch school districts’ budgets and help outfit newly constructed or newly renovated schools with quality FF&Es.

The MSBA hopes to pilot a “Look Book” that features standardized versions of classroom furniture items at attractive price points. The MSBA created a school furniture catalogue, working with vendors and manufactures, that provides information about popular manufacturers of classroom and cafeteria furniture that many Massachusetts school districts are purchasing for their new schools. The MSBA’s website also will be a location where school districts and other interested parties may find FF&E product and cost information. This will provide a means to better understand cost elements when budgeting for funding of a school construction project.



Additionally, we received positive responses from owner’s project managers (OPM), architects and interior design professionals about the MSBA’s interest in conducting combined purchases of FF&E items for two or more school districts in order to increase the volume of a purchase order with the goal of saving money on the unit cost per item.

Save the Dates: Join us for a free MSBA training in the afternoon of Tuesday, November 7th, at the new Higgins Middle School in Peabody, Massachusetts. Higgins’ Principal, Todd Bucey, and Peabody Procurement Agent, Dan Doucette, will share helpful information about how Peabody estimated its FF&E budget and its planning and purchasing strategies. A school tour starting at noon will highlight Peabody’s FF&E choices. In addition to new processes and FF&E cost-saving strategies from the MSBA, the Office of the Inspector General, the Massachusetts Higher Education Consortium and the Operational Services Division will present insights on procurement and purchasing processes. Lastly, you will be among the first to attend a new State Ethics Commission presentation on the Massachusetts Conflict of Interest Law and what your municipality and your consultants need to know.

In addition, please join us on Tuesday, November 14th for the *Story of a Building* program that the MSBA is presenting in collaboration with the Office of the Inspector General emphasizing the FF&E procurements at the new West Bridgewater Middle-Senior High School in West Bridgewater, Massachusetts. The content of this training will not overlap with the Peabody FF&E event. In addition to a reimbursement

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presentation by MSBA staff, the schedule includes presentations by FF&E interior design professionals and school furniture manufacturers with “must know” information about planning and buying school furniture.

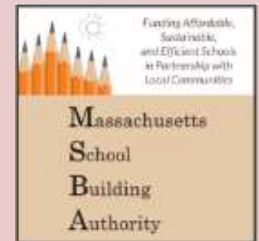
Please mark your calendars for the November 7th and November 14th dates. If you plan to attend the FF&E event on November 7th, please send your name, job title, email address, and telephone number to Xinyu Mac at Xinyu.Mac@massschoolbuildings.org. To register for the ***Story of a Building*** program, please visit the Office of the Inspector General website at www.mass.gov/ig. In addition, please send questions or comments regarding either event to Barbara Hansberry at Barbara.Hansberry@massschoolbuildings.org. Thank you.

The MSBA is a quasi-independent government authority created in 2004 to reform the process of funding capital improvement projects in the Commonwealth's public schools. The Office of the Inspector General thanks the MSBA for contributing to the Procurement Bulletin.

Notice from the Massachusetts School Building Authority

Submitted by the MSBA

The Massachusetts State Ethics Commission revised its training for the *Certification for School Project Designers & Owner's Project Managers* offered through the Massachusetts Certified Public Purchasing Official (MCPPO) program. Detailed information about the application of the conflict of interest law to municipal and school building contractors, including owner's project managers (OPM), designers and other consultants, including sub-consultants, will be presented.



Guidance will be offered on the legal requirements for the municipality and consultants where the municipality has selected the consultant's services based largely on the qualifications of the consultant's team of named individuals. Do not miss this opportunity to learn important information for your municipality, firm and clients! Please see the MCPPO registration form and schedule for dates and times of this course at www.mass.gov/ig.



New Recertification Policy



In order to provide the highest level of training to our designees and in response to feedback from our students, the Office has instituted a new recertification policy for all MCPPO designees. This policy applies to all designations, including associate levels.

As of January 1, 2018, all designees due to recertify will be required to successfully complete a new, two-day Recertification class. An exam will be included. We are currently in the process of creating this new class. You will earn 12 to 14 credits for the successful completion of this new class. The new recertification class will be offered a number of times during our spring 2018 semester.

In order to maintain your MCPPO designation, you still must earn a minimum of 25 continuing education credits during the three-year period following the date of your most-recent certification or recertification letter.

If you are due to recertify on or after January 1, 2018, you have two options:

1. You may take the new class in the spring. Your designation recertification date will automatically be extended to June 30, 2018, to give you time to attend the new class; or
2. You may apply for recertification by December 1, 2017, as long as you have met all of the recertification requirements, including earning 25 continuing education credits.

If you are due to recertify before January 1, 2018, you will follow the current recertification policy.

For additional information regarding the new recertification policy, please visit our website at www.mass.gov/ig or contact Joyce McEntee Emmett, Director of the MCPPO program, at (617) 722-8835 or via email at Joyce.Emmett@state.ma.us.



MCPPO Course Updates

The Office of the Inspector General is offering the following two courses later this fall. We welcome you to attend and spread the news about our offerings with your colleagues!

Are You a Member of a Public Board or Commission? Know Your Responsibilities – November 28, 2017

The MCPPO program is pleased to again offer a free, one-day class for members of public boards, commissions and authorities (collectively, “public boards”), as well as for those who appoint individuals to serve on public boards.

Whether you are on the board of a state agency, municipal commission, housing authority or other public entity, the decisions you make are important; they affect the organization, the public and public resources. After taking this class, you will have the tools you need to be an active and productive board member. The course will help you understand your responsibilities and will give you practical guidance to help you fulfill your responsibilities. You will also learn about the laws that apply to board members and public boards, such as the laws governing board meetings, communications among board members and individual conduct by board members.

The class is also essential to those who appoint individuals to boards; the information you learn will help you ensure you appoint qualified individuals to serve as board members.

For further information, please see the MCPPO registration form available on pages 15-16 and at www.mass.gov/ig.



Advanced Topics Update Seminar – November 29-30, 2017

The MCPPO program is offering the two-day seminar entitled *Advanced Topics Update* to be held November 29-30, 2017 in Boston, Massachusetts. This class will cover a variety of new subjects that have not been presented before. Learn about a variety of advanced public procurement subjects, including emerging issues and changes to procurement laws. The seminar will include segments on public construction, emergency waivers, risk assessments and internal controls related to the *Hinton Drug Lab* investigation, bid-rigging, and compliance with the *Americans with Disabilities Act* in the workplace. The course also includes a workshop that will allow you to receive feedback from other individuals in the field and your instructors related to drafting an invitation for bid and request for proposal.

For further information, please see the MCPPO registration form available on pages 15-16 and at www.mass.gov/ig.



Office of the Inspector General

Glenn A. Cunha, Inspector General

The Massachusetts Certified Public Purchasing Official (MCPPO) Program

ARE YOU A MEMBER OF A PUBLIC BOARD OR COMMISSION? *Know Your Responsibilities*

PREREQUISITE: NONE

COURSE LEVEL: BASIC

INSTRUCTIONAL METHOD: GROUP-LIVE

ADVANCED PREP: NONE

This 1-day course is essential for every member of a public board, commission, committee or authority (collectively, “public board”), as well as for public officials who regularly interact with public boards. All members of public boards have a duty to actively oversee the officials who report to them and to ensure that the public monies they administer are spent appropriately. Attendees will learn the necessary tools to successfully fulfill these duties. Attendees will also learn about the keys to effective supervision; identifying fraud, waste and abuse; and the legal requirements applicable to board and commission members. Take this class and walk away armed with the knowledge and skills to be a highly effective member of a public board, commission, committee or authority.

COURSE DATE:

November 28, 2017

8:30 a.m. – 3:30 p.m.

MCPPO Classroom (group-live)

*One Ashburton Place, Room 1306
Boston, MA 02108*



The Massachusetts Office of the Inspector General is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.NASBARegistry.org.

Topics covered include:

- Fiduciary duties and responsibilities
- Tools for effective oversight
- Essential terms for executives’ employment contracts
- Preventing and detecting fraud, waste and abuse
- Ethics requirements for members of boards and commissions
- Public Records Law and Open Meeting Law

—This class is tuition-free—

This course qualifies for 6 continuing professional education (CPE) credits, 6 professional development points (PDP) and 6 MCPPO credits toward recertification.

To register, please visit our website at www.mass.gov/ig. For additional information on the MCPPO Program or information regarding refunds, complaints and program cancellations, please contact Joyce McEntee Emmett, MCPPO Director, at (617) 722-8835 or via email at MA-IGO-Training@state.ma.us.



Office of the Inspector General

Glenn A. Cunha, Inspector General

The Massachusetts Certified Public Purchasing Official (MCPPO) Program

ADVANCED TOPICS UPDATE FALL 2017

PREREQUISITE: *SUPPLIES AND SERVICES CONTRACTING OR DESIGN AND CONSTRUCTION CONTRACTING*

COURSE LEVEL: ADVANCED

INSTRUCTIONAL METHOD: GROUP-LIVE

ADVANCED PREP: NONE

This 2-day seminar is geared toward those interested in exploring a variety of advanced public procurement practices. The seminar also provides follow-up information and updates on topics covered in *Public Contracting Overview*, *Supplies and Services Contracting*, and *Design and Construction Contracting*.

COURSE DATES:

November 29 and 30, 2017

8:30 a.m. – 3:30 p.m.

**MCPPO Classroom (group-live)
One Ashburton Place, Room 1306
Boston, MA 02108**



The Massachusetts Office of the Inspector General is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of

continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.NASBARegistry.org.

Topics covered include:

- M.G.L. c. 30B updates
- Public construction law updates
- Prevailing wage law
- DCAMM certification, emergency waivers, evaluation, demand payment
- Risk assessment and internal controls
- Bid rigging and market allocation schemes: recognizing anticompetitive activities
- ADA compliance in the workplace
- A case study on the Hinton state drug lab
- Bids and proposals

This course qualifies for 12 continuing professional education (CPE) credits, 12 professional development points (PDP) and 12 MCPPO credits towards recertification.

To register, please visit our website at www.mass.gov/ig. For additional information on the MCPPO Program or information regarding refund, complaint and program cancellation policies, please contact Joyce McEntee Emmett, MCPPO Director, at (617) 722-8835 or via email at MA-IGO-Training@state.ma.us.

The Office of the Inspector General and
The Massachusetts School Building Authority present

STORY OF A BUILDING

Building Your School from the Inside Out: Best Practices in School Furniture Planning, Selection and Procurement

PREREQUISITE: NONE

COURSE LEVEL: BASIC

INSTRUCTIONAL METHOD: GROUP-LIVE

ADVANCED PREP: NONE

Co-sponsored with the Massachusetts School Building Authority (MSBA), this on-site class immerses attendees in the story of how to furnish a new school. We invite you to engage our panels of public officials, vendors, manufacturers, MSBA officials and our Office staff to determine how to achieve best-value purchases for your public school. Together we will tour the new school and discuss the different kinds of furniture procured for classrooms, science labs, learning commons, cyber cafés and administrative offices.



COURSE DATE:

November 14, 2017

8:00 a.m. – 4:30 p.m.

West Bridgewater Middle-Senior High School

155 West Center Street

West Bridgewater, MA 02379



The Massachusetts Office of the Inspector General is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.NASBARegistry.org.

You will learn:

- How to plan for your furniture, fixtures and equipment (FF&E) purchases, including first steps and lessons learned
- What to expect from your interior design professional
- How to simplify bid specifications and avoid proprietary specifications
- What the MSBA funding policy is for FF&E purchases, including product and cost data
- Cost-saving procurement tips from furniture vendors and manufacturers
- What ethics laws apply to the FF&E team and purchasing process

Lunch will be provided in the school's cafeteria

Lunch Keynote Speech Entitled: The Role of School Furniture to Facilitate Contemporary Teaching and Learning

This course qualifies for 7 continuing professional education (CPE) credits, 7 professional development points (PDP) and 7 MCPPO credits toward recertification.

To register, please visit our website at www.mass.gov/ig. For additional information on the MCPPO Program or information regarding refunds, complaints or program cancellations, please contact Joyce McEntee Emmett, MCPPO Director, at (617) 722-8835 or via email at MA-IGO-Training@state.ma.us.



Office of the Inspector General

Glenn A. Cunha, Inspector General

The Massachusetts Certified Public Purchasing Official (MCPPO) Program



PROCUREMENT FRAUD:

PREVENTION AND DETECTION

PREREQUISITE: NONE

COURSE LEVEL: BASIC

INSTRUCTIONAL METHOD: GROUP-LIVE

ADVANCED PREP: NONE

This 1-day course gives procurement officials and other public employees the tools to prevent and detect procurement fraud. Procurement fraud undermines efforts to ensure fair and open competition for public contracts and it often creates a hidden cost for taxpayers and vendors alike.

COURSE DATE:

December 1, 2017

8:30 a.m. – 3:30 p.m.

MCPPO Classroom (group-live)
One Ashburton Place, Room 1306
Boston, MA 02108



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have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.NASBARegistry.org.

Topics covered include:

- Fraud theory
- Tools for preventing and detecting fraud
- Assessing the risks of procurement fraud
- Case studies in procurement fraud
- Different types of procurement fraud, including:
 - ◇ Bid-rigging and collusion
 - ◇ Product substitution
 - ◇ Tailored bids
 - ◇ Kickbacks
 - ◇ False claims
 - ◇ Unjustified sole source awards
 - ◇ Bid manipulation and more

This course qualifies for 6 continuing professional education (CPE) credits, 6 professional development points (PDP) and 6 MCPPO credits toward recertification.

To register, please visit our website at www.mass.gov/ig. For additional information on the MCPPO Program or information regarding refunds, complaints or program cancellations, please contact Joyce McEntee Emmett, MCPPO Director, at (617) 722-8835 or via email at MA-IGO-Training@state.ma.us.



Office of the Inspector General
Glenn A. Cunha, Inspector General
MA-IGO-Training@state.ma.us Tel: (617) 727-9140

MASSACHUSETTS CERTIFIED PUBLIC PURCHASING OFFICIAL PROGRAM
REGISTRATION FORM **September-December 2017**

Please complete the fields below and indicate your seminar selection(s) on the right:

NAME: _____

TITLE: _____

PHONE: _____

EMAIL: _____

ORGANIZATION/JURISDICTION: _____

ADDRESS: _____

CITY/STATE/ZIP CODE: _____

Do you require any reasonable accommodations? _____

HOW TO REGISTER: Please mail a completed registration form with a check or money order made payable to:

Office of the Inspector General
One Ashburton Place, Room 1311
Boston, MA 02108
Attn: MCPPO Program

TYPE OF PAYMENT:*

☐ Check/Money Order ☐ State agencies: payment via IE/ITA

*ALL CHECKS AND IE/ITA PAYMENTS MUST BE RECEIVED PRIOR TO THE START OF THE COURSE

NONDISCRIMINATION POLICY: The Massachusetts Office of the Inspector General does not discriminate on the basis of race, color, national origin, ancestry, religion, sex, age, disability, sexual orientation, political affiliation, or Vietnam-era or disabled veteran status in its employment or admission policies, or in the administration or operation of, or access to, its programs and policies. The Office of the Inspector General does not discriminate on the basis of disability; see Section 504 of the Rehabilitation Act of 1973. Inquiries pertaining to the Office's nondiscrimination policy relating to MCPPO programs may be addressed to Joyce McEntee Emmett, Director of the MCPPO Program, at (617) 727-9140.

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The Massachusetts Office of the Inspector General is registered with the Department of Elementary & Secondary Education to award professional development points (PDP).

COURSE INFORMATION:

All seminars will be confirmed based on a minimum of 25 participants.

GOVERNMENT/NON-PROFIT COURSE PRICE:

Government employees shall include all employees of the Commonwealth, the Commonwealth's political subdivisions, other state governments, the federal government, as well as employees of any other municipality, county, or local district. Non-profit employees include any employee of a 501(c)(3) corporation. Proof of government or non-profit status must be provided with this registration form in order to receive the government rate.

SUBSTITUTIONS/CANCELLATIONS:

Each seminar is limited and filled on a space-available basis. Registrations transferred within your organization are possible with prior notice, one time only. The OIG reserves the right to cancel or reschedule any seminar and is not responsible for any costs incurred by registrants. Terms and conditions may change without notice.

CORI NOTICE:

Please be advised that the Office of the Inspector General has reinstated the requirement that all applications for MCPPO Designation include a completed Criminal Offender Record Information (CORI) Acknowledgement Form. You do not need to include a CORI form with this registration form.

For more information regarding administrative policies, such as complaint and refund resolution, please email Joyce McEntee Emmett, Director of the MCPPO Program, at MA-IGO-Training@state.ma.us or go to our website at www.mass.gov/ig.

Fall/Winter 2017 SCHEDULE

PUBLIC CONTRACTING OVERVIEW

September 18, 19, 20 ☐ BOS
October 24, 25, 26 ☐ BOS ☐ COMM*
November 27, 28, 29 ☐ UMA
December 12, 13, 14 ☐ UML

CHARTER SCHOOL PROCUREMENT

October 30, 31 ☐ MAL

SUPPLIES & SERVICES CONTRACTING

September 26, 27, 28 ☐ BOS
November 14, 15, 16 ☐ BOS ☐ COMM*

DESIGN & CONSTRUCTION CONTRACTING

October 3, 4, 5 ☐ BOS
December 6, 7, 8 ☐ BOS ☐ COMM*
December 12, 13, 14 ☐ UMA

CONTRACT ADMINISTRATION **New Date**

November 7 ☐ BOS

STORY OF A BUILDING

November 14 ☐ WBR

ADVANCED TOPICS FOR HOUSING AUTHORITIES

November 15 ☐ PLY

BOARDS & COMMISSIONS **Free**

November 28 ☐ BOS

ADVANCED TOPICS UPDATE

November 29, 30 ☐ BOS

PROCUREMENT FRAUD **New Date**

December 1 ☐ BOS

RUNNING A SUCCESSFUL PROCUREMENT OFFICE

December 4, 5 ☐ BOS

DRAFTING A MODEL IFB

Self-paced ☐ AT YOUR DESK

PRIVATE SECTOR TRAINING

CERTIFICATION for School Project Designers & OPMs

November 1, 2, 8, 9 ☐ BOS

RECERTIFICATION for School Project Designers & OPMs

October 19 ☐ BOS

IMPORTANT NOTICE

**PAYMENT MUST ACCOMPANY
REGISTRATION FORM**

Please complete this form and submit along with payment to the MCPPO Program by U.S. Mail at the following address:

Office of the Inspector General
One Ashburton Place, Room 1311
Boston, MA 02108
ATTN: MCPPO Program

See reverse for course locations

Additional Seminar Information

For detailed course information, visit our website at www.mass.gov/ig.**PUBLIC CONTRACTING OVERVIEW***No Prerequisite*

September 18, 19, 20

October 24, 25, 26

November 27, 28, 29

December 12, 13, 14

☐ BOSTON☐ BOSTON☐ COMM FIRE DISTRICT*☐ UMASS AMHERST☐ UMASS LOWELLTuition: \$595 for government/non-profit employees
\$750 for all others

3-day seminar

CHARTER SCHOOL PROCUREMENT*No Prerequisite*

October 30, 31

☐ MALDENTuition: \$400 for government/non-profit employees
\$600 for all others

2-day seminar

SUPPLIES & SERVICES CONTRACTING*Prerequisite: Public Contracting Overview or Charter School Procurement*

September 26, 27, 28

November 14, 15, 16

☐ BOSTON☐ BOSTON☐ COMM FIRE DISTRICT*Tuition: \$595 for government/non-profit employees
\$750 for all others

3-day seminar

DESIGN & CONSTRUCTION CONTRACTING*Prerequisite: Public Contracting Overview or Charter School Procurement*

October 3, 4, 5

December 6, 7, 8

December 12, 13, 14

☐ BOSTON☐ BOSTON☐ COMM FIRE DISTRICT*☐ UMASS AMHERSTTuition: \$695 for government/non-profit employees
\$850 for all others

3-day seminar

CONTRACT ADMINISTRATION**New Date***No Prerequisite*

November 7

☐ BOSTON

Tuition: \$200 per participant

1-day seminar

STORY OF A BUILDING*No Prerequisite*

November 14

☐ WEST BRIDGEWATERTuition: \$200 for government employees (including earned CPEs)
\$50 for government employees (no CPEs earned)
\$200 for all others

1-day seminar

ADVANCED TOPICS FOR HOUSING AUTHORITIES*No Prerequisite*

November 15

☐ PLYMOUTH

Tuition: \$200 per participant

1-day seminar

BOARDS & COMMISSIONS**Free***Open to those who are a member of a Public Board, Commission or Authority*

November 28

☐ BOSTON

1-day seminar

ADVANCED TOPICS UPDATE*Prerequisite: Supplies & Services Contracting or Design & Construction Contracting*

November 29, 30

☐ BOSTONTuition: \$400 for government/non-profit employees
\$600 for all others

2-day seminar

PROCUREMENT FRAUD**New Date***No Prerequisite*

December 1

☐ BOSTON

Tuition: \$200 per participant

1-day seminar

RUNNING A SUCCESSFUL PROCUREMENT OFFICE*No Prerequisite*

December 4, 5

☐ BOSTONTuition: \$400 for government/non-profit employees
\$600 for all others

2-day seminar

DRAFTING A MODEL IFB*No Prerequisite**Requires Microsoft Word 7.0 or higher*☐ AT YOUR DESK

Tuition: \$75 per participant

Self-paced

PRIVATE SECTOR TRAINING**CERTIFICATION for School Project Designers & Owner's Project Managers***No Prerequisite*

November 1, 2, 8, 9

☐ BOSTON

Tuition: \$1350 per participant

4-day seminar

RECERTIFICATION for School Project Designers & Owner's Project Managers*Prerequisite: Certification for School Project Designers & Owner's Project Managers*

October 19

☐ BOSTON

Tuition: \$550 per participant

1-day seminar

On-site address:

Office of the Inspector General

One Ashburton Place, Room 1306, Boston, MA 02108

Off-site address:

Dept. of Elem. & Sec. Education

UMass Amherst - November 27-29, 2017

UMass Amherst - December 12-14, 2017

UMass Lowell

West Bridgewater Middle-Senior High School

MA NAHRO Hotel 1620

75 Pleasant Street, Room 202, Malden, MA 02148

Old Chapel (Great Room), 144 Hicks Way, Amherst, MA 01002

Mullins Center, Massachusetts Room, 200 Commonwealth Ave, Amherst, MA 01002

Campus Recreation Center, Room 111, 332 Aiken Street, Lowell, MA 01854

155 West Center Street, West Bridgewater, MA 02379

180 Water Street, Plymouth, MA 02360

Videoconference address*:

COMM Fire District

1875 Falmouth Road, Centerville, MA 02632

Please check our website regularly as videoconference locations may be added in the future.



CONGRATULATIONS TO OUR NEW DESIGNEES!

The following is a list of the MCPPO program's new Designees based on applications reviewed (not received) between July 1, 2017 and September 30, 2017:

MCPPO

Brian Gilbert, Town of Tewksbury
Krishan Gupta, City of Fall River
Thomas Hickey, South Shore Voc. Tech. High School
Bonnie-mae Holston, Town of Littleton
Paul Lisi, Jr., Town of Richmond
David Marciello, Town of Millbury
James Milinazzo, Revere Housing Authority
Richard Montuori, Town of Tewksbury
Daniel Nason, Town of Sudbury
Aldo Petronio, Brockton Public Schools
Mark Pruhenski, Town of Richmond
Benn Sherman, Town of Uxbridge
Janine Torres, Nantucket Memorial Airport

MCPPO for Design & Construction

None

MCPPO for Supplies & Services

None

Associate MCPPO

Helen Dennen, Town of Rehoboth
Paul Dumouchel, Needham Housing Authority
Sylvia Hufnagel, South Shore Regional School District
Vernon Jackson, Jr., Town of West Boylston
Joseph Levine, Chelmsford Housing Authority
Christine Long, Newton Housing Authority
Kerrilynn Marvill, City of Worcester
Stephanie McManus, City of Boston Parks and Recreation
Willie Morales, Town of Northfield
Amanda Nichols, Lowell Housing Authority
Kate O'Brien, Town of West Springfield
Chivy Ok, City of Boston
Steven Sadwick, Town of Tewksbury

Associate MCPPO for Design & Construction

Carol Brodeur, Framingham Public Schools

Associate MCPPO for Supplies & Services

Richard Buffington, Barnstable Fire District





SUBSCRIPTION INFORMATION

The Office of the Inspector General publishes the Procurement Bulletin on a quarterly basis. There is no charge to subscribe.

To receive the Procurement Bulletin electronically, please send an email containing your first and last name to Michelle.Burke@state.ma.us.

If you prefer to receive a printed copy via first-class mail, please indicate this in the email and provide your mailing address.

If you previously subscribed to the Procurement Bulletin and have not received a copy or have any other Procurement Bulletin related questions, please contact Michelle Burke .

***Office of the Inspector General
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ATTN: Michelle Burke***