Dear Public Officials:

Happy New Year! Looking back on 2017, the Massachusetts Certified Public Purchasing Official (MCPPO) program had the largest number of students, courses and off-site classes offered, making it the most successful year yet. In 2017, we produced more easy-to-access educational materials on our website, including a video on ways to detect and prevent fraud and another training video that provides an overview of Chapter 30B: The Uniform Procurement Act.

In 2018, we plan to post more online training videos and encourage individuals to learn more about preventing and detecting fraud, waste and abuse of public funds. To achieve that goal, the Office’s Regulatory and Compliance Division has a new director: Neil Cohen. His responsibilities include oversight of the Office’s Chapter 30B unit, MCPPO program and all related training materials. He has served the Office for nearly 25 years in a number of capacities ranging from investigations, curriculum development and teaching state and municipal employees around the Commonwealth. Congratulations, Neil.

This past year, the MCPPO program also continued to adapt its curriculum to the changing needs of local government and expand its educational offerings. To that end, we provided a complimentary class to members of public boards and commissions and published a guide entitled How to Be an Effective Member of a Public Board or Commission. The guide provides members with the necessary tools they need to perform their duties and responsibilities in their oversight capacity. This guide is currently available on our website.

In November, during the Advanced Topics Updates class, I taught my first segment (and hopefully not my last) on the lessons learned from the Hinton Drug Lab investigation. The content focused on the importance of policies and procedures, professional training and development, security and mechanisms for lodging internal complaints to aid in the detection and prevention of fraud in public agencies.

In this issue of the Bulletin you will find helpful information and procurement tips on how to comply with cooperative purchasing agreements under Chapter 30B and several frequently-asked questions from our 30B hotline, including on the use of statewide contracts.

I would also like to congratulate our most-recent MCPPO designees. This achievement exemplifies the designees’ commitment to conducting fair, open and competitive procurements. Please see page 13 for the list of designees.

As always, thank you for your time and consideration in reviewing our publications. I wish you all a happy and healthy 2018.

Sincerely,

Glenn A. Cunha
Inspector General
MCPPO PROGRAM’S INCLEMENT WEATHER POLICY

In the event of inclement weather, you may find information about the Massachusetts Certified Public Purchasing Official (MCPPO) program class cancelations and delays on:

- MCPPO weather line at (617) 722-8831;
- Office’s website at www.mass.gov/ig;
- Twitter at www.twitter.com/MassOIG; and
- LinkedIn at www.linkedin.com/company/11380300.

The MCPPO class cancellation policy is as follows:

Generally, the MCPPO program follows the Boston Public School system’s policy for weather closings. Therefore, if Boston Public Schools are closed due to inclement weather, MCPPO classes – including classes held at videoconference locations – will be cancelled and rescheduled to a later date.

For students attending a class via videoconference, if the host city or town’s school system is closed due to inclement weather, the MCPPO videoconference class will be cancelled and rescheduled. The live class held in Boston will proceed if Boston Public Schools are open.

For students attending a live MCPPO class presented at an off-site location, if the public school system in the host city or town is closed due to inclement weather, the MCPPO class will be cancelled and rescheduled to a later date. In some instances, a class may be cancelled if inclement weather prevents MCPPO instructors from traveling to an off-site location. In such an event, the Office will put an announcement on the MCPPO weather line, the Office’s website, Twitter and LinkedIn.

If you have any questions or concerns about class cancellations or new class dates, please feel free to contact Joyce McEntee Emmett, MCPPO Program Director, at (617) 722-8835 or MA-IGO-Training@state.ma.us.
COOPERATIVE PURCHASING AGREEMENTS
UNDER SECTION 22 OF CHAPTER 30B

Section 22 of Chapter 30B allows local jurisdictions to purchase supplies using a contract already procured by in-state or out-of-state “public procurement units” if the contract terms state that the contract is open to Massachusetts governmental bodies and the supplies were procured in a manner that constitutes fair and open competition.

For example, local jurisdictions may choose to buy an ambulance through an out-of-state cooperative agreement under Section 22 of Chapter 30B. However, the jurisdiction must ensure that all components of the ambulance have been competitively procured and subject to fair and open competition. So, if the cooperative agreement lists a base model for an ambulance at a specific price, but your jurisdiction needs additional apparatus and equipment added to the ambulance during the assembly process, you need to confirm that the options (often called “unpublished” options) were also subject to a competitive process and properly identified within the scope of the cooperative purchasing agreement to satisfy the requirements of Section 22 of Chapter 30B.

Notably, cooperative purchasing agreements have significant cost and time-saving potential for many jurisdictions. However, these contracts should be used with care to ensure the best value and price in accordance with Chapter 30B.

Please also see page 7 of this Bulletin for tips on using cooperative purchasing agreements pursuant to Section 22 of Chapter 30B.
**FREQUENTLY ASKED QUESTIONS RELATING TO PROCUREMENT**

Q1: A vendor insists that my town needs to issue an invitation for bids (IFB) in accordance with Section 5 of Chapter 30B when we procure our office supplies, including paper, pens and pencils. My town purchases all of its office supplies off of the statewide contract listed on the Operational Services Division’s (OSD) COMMBUYS system, and we follow the related “Contract User Guide.” Is my town in compliance with the law?

A1: Yes. Under Section 1(c) of Chapter 30B, local jurisdictions may purchase through statewide contracts procured by OSD. Please note, however, that some statewide contracts have additional requirements under the “Contract User Guide” related to that contract. For example, the “Contract User Guide” may require your town to obtain three quotes from vendors on the OSD statewide contract list, and to purchase from the vendor that provides the lowest price for the items you seek. To be in compliance with Chapter 30B you may only purchase the specific supplies or services identified on the statewide contract – not any other items that the vendor may sell.

Q2: My town is considering entering into a contract to sell surplus supplies to the government of Puerto Rico. Is this disposal of surplus supplies with Puerto Rico subject to Chapter 30B?

A2: No. Section 1(b)(9) of Chapter 30B exempts “a contract to purchase supplies or services from, or to dispose of supplies to, any agency or instrumentality of the federal government, the commonwealth or any of its political subdivisions or any other state or political subdivision thereof.” As a result of this exemption, intergovernmental agreements – for the purchase or disposition of supplies or services – between your jurisdiction and the federal government, the Commonwealth, other states and any political subdivisions of those entities, are not subject to the requirements of Chapter 30B. The crux of this question is whether Puerto Rico, a territory of the United States, is encompassed within the scope of this exemption. Chapter 4 of the Massachusetts General Laws, defines the terms “state” and “United States” to include the District of Columbia and territories. See M.G.L. c. 4, § 7, cl. 31. Accordingly, the exemption in Section 1(b)(9) of Chapter 30B includes Puerto Rico.

(continued on page 5)
Q3: I was recently hired as the head of my town’s Department of Public Works. I know that snow plowing is an exempt service under Section 1(b)(17) of Chapter 30B. I would like to be prepared in case snow hauling and disposal are necessary this winter. Is this type of service also exempt from Chapter 30B like snow plowing is?

A3: No. Section 1(b)(17) of Chapter 30B is very specific. Under this provision, “a contract for snow plowing by a governmental body” is exempt. Snow hauling is a different service than snow plowing. Therefore, snow hauling is subject to the provisions of Chapter 30B.

In extreme circumstances, however, snow hauling may be necessary to protect the health and safety of people or property. In these situations, a jurisdiction may procure hauling services under the emergency procurement provisions of Section 8 of Chapter 30B. For a detailed explanation of your obligations with respect to emergency-related procurements under Chapter 30B, please see this Office’s Chapter 30B Manual: Procuring Supplies, Services and Real Property available at www.mass.gov/ig.

Q4: I am a school business manager about to issue an invitation for bids (IFB) for a large quantity of office and school supplies that will be shipped to our jurisdiction on a periodic basis. Should I ask the vendors to include shipping costs in their bids?

A4: Yes. When you draft the specifications for the IFB, you should require that each vendor include shipping and handling costs in the total bid amount to allow your jurisdiction to meaningfully compare the bids to determine which vendor submitted the lowest bid. You must award the bid on the total cost of the supplies with shipping and handling included. Moreover, in the IFB you should state whether your jurisdiction requires U.S. postal service delivery or allows for delivery through a private shipping company, such as United Parcel Service or FedEx. Bear in mind that shipping costs may be higher if you require a private company to ship the supplies. In any event, if a bidder does not follow the rules of the IFB and does not include shipping and handling costs in its bid, you should reject that bidder from consideration as a non-responsive bidder.

(continued on page 6)
(FAQs, continued from page 5)

Q5: A property owner in the town asked to purchase a small piece of town-owned land behind their property. The land is surrounded on all sides by private parties. The town has no use for the property and there is no record of any other person or entity expressing interest in the land. The town property tax assessor valued the land at $10,000. Since our property tax assessors estimate of $10,000 is below the threshold that requires the town to issue a request for proposals under Section 16 of Chapter 30B, may the town negotiate the sale of the property with the owner who expressed interest in the town-owned property?

A5: Yes. But the town must comply with Section 16 (a), (b) and (g) of Chapter 30B before disposing of the property. In compliance with Section 16, the town must first:

1) Declare the land surplus property that is available for disposal;
2) Determine any restrictions, if desired, on the subsequent use of the land; and
3) Determine the fair market value of the land to ensure that the $35,000 threshold in Section 16 of Chapter 30B is not triggered and to establish a basis for receiving compensation for the land.

If the town ultimately decides to dispose of the land at a price that is below fair market value, it must publish a notice in the Central Register with an explanation for the decision to dispose of the land for less than fair market value. The notice must disclose the difference between the sale price and the fair market value of the property. The town must publish the notice in the Central Register before the sale is concluded to allow for any public comments or questions.

Finally, prior to completing the sale the town must obtain a disclosure of beneficial interests in the property from the buyer and file it with the Division of Capital Asset Management and Maintenance in accordance with Section 38 of Chapter 7C.

As a best practice, you may first consider whether other abutters to the town-owned land may have an interest in purchasing the property. To this end, you should provide all abutters with notice that the town-owned land is available for purchase and provide all abutters a fair and equal opportunity to purchase the land. This may generate competition and could result in a better sale price for the property. This ensures greater accountability and transparency in the disposal process and may help to avoid any concerns about the sale of the land to an interested abutter.

The town should consider adopting a formal policy for the disposal of real property that is below the $35,000 threshold in Chapter 30B. A policy will ensure consistency across transactions and establish processes to help ensure fair and open competition for the disposal of town-owned real property.
BEST PRACTICE TIP:

When purchasing from a cooperative agreement in accordance with Section 22 of Chapter 30B, you should use the practice tips below to ensure that the public procurement unit used a fair, open and competitive procurement process:

1) Check whether the public procurement unit advertised the procurement in a relevant publication;
2) Confirm that it used specific purchase descriptions in the solicitation;
3) Ensure that it used a clear rule for award or determination of best value in the solicitation;
4) Confirm that it used an appropriate comparative evaluation process for choosing vendors; and
5) Confirm that it provides for renewed competition on a regular basis.

Remember that cooperative purchasing agreements must be the product of meaningful and open competitive bidding procedures, and not mere preferred vendor lists. Finally, do not forget that you may only purchase supplies, not services, from a cooperative purchasing agreement under Section 22 of Chapter 30B.

Chapter 30B Hotline: (617) 722-8838
The Office of the Inspector General and the Massachusetts School Building Authority presented:

**STORY OF A BUILDING**

hosted at **West Bridgewater Middle-Senior High School**

155 West Center Street
West Bridgewater, MA 02379

Tuesday, November 14, 2017

The Massachusetts Certified Public Purchasing Official (MCPPO) program, along with the Massachusetts School Building Authority (MSBA), recently presented a one-day training at the West Bridgewater Middle-Senior High School. The training focused on procuring furniture, fixtures and equipment – frequently referred to as FF&E – for school building projects.

The course provided a complete framework for planning, implementing and overseeing FF&E purchases for school construction or renovation projects. Segments included “Planning for Your FF&E Purchase,” “What to Expect from Your Interior Design Professional” and “Simplifying Bid Specifications.” The course also offered an MSBA segment on reimbursement and cost-saving strategies, as well as, an ethics segment for staff involved in school building projects.

The West Bridgewater Middle-Senior High School, which recently underwent a comprehensive renovation, was the ideal location for the class. Attendees were given a tour of the school, which serves roughly 600 students in grades seven through twelve. Participants also had the opportunity to ask the MSBA, school officials and other professionals about the design, construction and procurement processes. It was an informative and engaging training for anyone involved in a school building project or renovation.

The Inspector General’s Office extends its gratitude and appreciation to the MSBA, West Bridgewater Middle-Senior High School’s principal and staff, and the many others who participated in this important program.
FREE, ONLINE FRAUD AWARENESS AND PREVENTION TRAINING

The Office of the Inspector General is pleased to offer its newest, free online training video “Fraud Awareness and Prevention in the Workplace.” It provides an introduction to identifying and preventing fraud in the workplace. Using examples, the video discusses theft, procurement fraud, other forms of misconduct, and outlines techniques to detect and prevent fraud. While the training was developed for public employees, the lessons are applicable to virtually all workplaces. The free online training is available to anyone. Similarly, the Office’s original online training, “Overview of Chapter 30B – The Uniform Procurement Act,” is available through our website at www.mass.gov/ig.

NEW GUIDE FOR MEMBERS OF PUBLIC BOARDS AND COMMISSIONS

The Office recently published Guide for Members of Public Boards and Commissions. The guide outlines practices, such as upholding fiduciary principles and exercising effective oversight, to help board members successfully perform their duties. The guide also summarizes the laws that apply to members of public boards and commissions. To download a copy of the guide, please visit the Office’s website at www.mass.gov/ig, and navigate to “Guides and advisories, Procurement Bulletins and Forms,” then select “Guides and advisories.” We welcome comments and suggestions as we seek to promote open, transparent and accountable government – essential elements to our representative democracy.

On November 28, 2017, the Office’s Massachusetts Certified Public Purchasing Official program offered a free, one-day class entitled Are You a Member of a Public Board or Commission? Know Your Responsibilities. Over 40 members of public boards, commissions and authorities attended. The course covered a variety of topics, including fiduciary duties and responsibilities, tools for effective oversight, essential terms of executive employment contracts, fraud detection, ethics requirements, public records and the open meeting law. The Office will offer this program again in the coming year. Information about the course will be posted on our website at www.mass.gov/ig.
REMINDER
MCPPO PROGRAM REGISTRATION POLICY

All registration forms must be sent by mail and be accompanied by your payment. The Office cannot accept registration forms via fax. Purchase orders are not a sufficient form of payment. We thank you for your cooperation and continued support.

MCPPO DESIGNATIONS
APPLICATION POLICY

As a reminder, the Office accepts CORI Acknowledgement Forms and MCPPO designation applications by mail. If you submit the CORI Acknowledgement Form by mail, you must first have the form notarized and include a copy of your valid government-issued photo identification. You may also submit your CORI Acknowledgment Form and MCPPO designation application in person at the Office of the Inspector General. CORI Acknowledgment Forms and designation applications are available on our website at the following link: www.mass.gov/service-details/mcppo-forms.

NEW RECERTIFICATION POLICY
EFFECTIVE JANUARY 1, 2018

As of January 1, 2018, all designees due to recertify are required to successfully complete the new, two-day MCPPO Recertification class. An exam will be included. The class will be offered on March 29, 30 and May 10, 11. See page 11 for the full MCPPO schedule. Those individuals due to recertify on or after January 1, 2018, will be given a grace period to attend one of the newly scheduled classes. Your designation recertification date will automatically be extended to June 30, 2018, to provide you time to attend one of the new classes.

In order to maintain your MCPPO designation, you 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. You will earn 14 credits for the successful completion of the new recertification class; these credits will count toward that 25-credit minimum.

For additional information regarding the new recertification policy, please visit our website www.mass.gov/ig or contact Joyce McEntee Emmett, Director of the MCPPO program, at (617) 722-8835 or at Joyce.Emmett@state.ma.us.
Please complete the fields below and indicate your seminar selection(s) on page two:

NAME:__________________________________________

TITLE:__________________________________________

PHONE:__________________________________________

EMAIL:__________________________________________

ORGANIZATION/JURISDICTION:__________________________

ADDRESS:__________________________________________

CITY/STATE/ZIP CODE:_____________________________

Do you require any reasonable accommodations? ______________________

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 and 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:
Space is limited. Each seminar is filled on a first-come, first-served basis. Transfer of a registration within your organization is possible with prior notice, one time only. The Office of the Inspector General 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 all applications for MCPPO Designation must 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.

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

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.

The Massachusetts Office of the Inspector General is registered with the Department of Elementary & Secondary Education to award professional development points (PDP).
# MASSACHUSETTS CERTIFIED PUBLIC PURCHASING OFFICIAL PROGRAM

**REGISTRATION FORM**  
**January—June 2018**  

For detailed course information, visit our website at [www.mass.gov/ig](http://www.mass.gov/ig)

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## PUBLIC CONTRACTING OVERVIEW

No Prerequisite  

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<th>Tuition</th>
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<tr>
<td>February 14, 15, 16</td>
<td>April 23, 24, 25</td>
<td>BOSTON</td>
<td>$595 for government/non-profit employees $750 for all others</td>
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<td>March 26, 27, 28</td>
<td>June 5, 6, 7</td>
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## SUPPLIES & SERVICES CONTRACTING

Prerequisite: Public Contracting Overview or Charter School Procurement  

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<td>June 13, 14, 15</td>
<td>UMASS LOWELL (VIDEOCONFERENCE)</td>
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<td>May 2, 3, 4</td>
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## DESIGN & CONSTRUCTION CONTRACTING

Prerequisite: Public Contracting Overview or Charter School Procurement  

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<td>June 19, 20, 21</td>
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## MCPPO RECERTIFICATION

New  

Prerequisite: Valid MCPPO Designation  

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## PROCUREMENT FRAUD

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<td>March 22</td>
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## CONSTRUCTION MANAGEMENT AT RISK

No Prerequisite  

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<td>April 3</td>
<td>BOSTON</td>
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## CONTRACT ADMINISTRATION

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<td>April 18</td>
<td>BOSTON</td>
<td>$200 per participant</td>
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## ADVANCED TOPICS UPDATE

Prerequisite: Supplies & Services Contracting or Design & Construction Contracting  

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<th>Tuition</th>
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<td>April 26, 27</td>
<td>BOSTON</td>
<td>$400 for government/non-profit employees $600 for all others</td>
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## RUNNING A SUCCESSFUL PROCUREMENT OFFICE

No Prerequisite  

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## DRAFTING A MODEL IFB

No Prerequisite  

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<tr>
<td>May 30, 31</td>
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### PRIVATE SECTOR TRAINING

**CERTIFICATION** for School Project Designers & Owner’s Project Managers  

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<td>$1,350 per participant</td>
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<td>May 17, 18, 24, 25</td>
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<td>4-day seminar</td>
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**RECERTIFICATION** for School Project Designers & Owner’s Project Managers  

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<td>$550 per participant</td>
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<tr>
<td>May 23</td>
<td>BOSTON</td>
<td>1-day seminar</td>
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### COMING SOON

- **Are You a Member of a Public Board or Commission? Know Your Responsibilities**  
- **Story of a Building**

Please check back with us regularly for additional course dates and locations.

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### Contact Information

**On-site address:**  
Office of the Inspector General  
One Ashburton Place, Room 1306  
Boston, MA 02108

**Videoconference address:**  
Gateway Regional School District  
12 Littleville Road  
Huntington, MA 01050

**Off-site address:**  
COMM Fire District  
1875 Falmouth Road  
Centerville, MA 02632

**Off-site and videoconference address:**  
UMass Lowell  
Campus Recreation Center  
Room 111 (CRC111)  
332 Aiken Street  
Lowell, MA 01854

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 October 1, 2017 and December 31, 2017:

**MCPPO**
- Martin Anguelov, Nantucket Public Schools
- Steven Bucuzzo, City of Haverhill
- John Bugbee, Town of Franklin
- Terrance Connolly, Town of Wellesley
- Carol Costello, Town of Hingham
- Roger Fernandes, Town of Hingham
- Caileen Foley, Lexington Housing Authority
- Melina Fontanez-Limardo, Mass. Water Resources Authority
- Lester Gee, Quincy Housing Authority
- Marilyn Gordon, Easton Public Schools
- Andrew Gould, Town of West Newbury
- Kyle Kummer, North Attleboro Public Schools
- Jamie Luchini, Town of Northbridge DPW
- Shawn MacInnes, Town of Yarmouth
- Timothy Moore, Metropolitan Area Planning Council
- Brian Pena, City of Lawrence
- Allison Potter, Town of Medway
- Sharon Rogers, Barnstable County Sheriff’s Dept.
- Lisa Valcich, Chelmsford Water Dist.
- Kristine Wheeler, Town of Framingham
- Mitchell Vieira, Town of Rockport
- Elisabeth Verde, Town of Provincetown
- Kayce Warren, Town of Ashfield
- Lisa Westgate, Operational Services Division
- Roby Whitehouse, Town of Yarmouth
- John Woods, Town of Carver
- William Yukna, Town of Foxborough
- Marie Zelandi, City of Revere

**MCPPO for Design & Construction**
- Richard Bedard, Millbury Public Schools
- David Twombly, Easton Public Schools

**MCPPO for Supplies & Services**
- Richard Viscay, Town of Arlington
- Wenshu Zhao, Acton-Boxborough Reg. Sch. Dist.

**Associate MCPPO**
- Molly Ahearn, Town of Needham
- Ellen Batchelder, Hampshire Council of Governments
- Richard Calderon, City of New Bedford
- Alicia Dulin, Town of Sheffield
- Yarinette Esquilin, DCAMM
- Kevin Flynn, Town of Phillipston
- Sherry Giblin, Lowell Housing Authority
- Andrew Golas, Town of Barre
- Christine Howe, Metropolitan Area Planning Council
- Allen Huberdeau, Essex County Sheriff’s Dept.
- Michael Kennelly, Town of Framingham DPW
- Jennifer Kite, Town of Dartmouth
- Michael Knight, Groton-Dunstable Reg. Sch. Dist.
- Mark Magazine, Town of Framingham
- Jayne Miller, Town of Reading
- Thomas Molinari, Town of Hingham
- Carrie Moreira, City of New Bedford
- Robert Moreschi, City of Everett
- Juliet Mulinar, Town of Edgartown
- Theresa Peznola, Town of Saugus
- Michael Piccardi, City of Revere
- Tracy Schultz, Town of Reading Municipal Light Dept.
- Patrick Shield, Town of Walpole
- Cecilia Simchak, Town of Needham
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Office of the Inspector General
One Ashburton Place, Room 1311
Boston, MA 02108
(617) 727-9140
www.mass.gov/ig