



Town of Wenham

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MEMORANDUM

TO: Applicants for & Recipients of Wenham Community Preservation Act Funding
FROM: Peter Lombardi, Town Administrator
RE: State Procurement Requirements
DATE: November 16, 2017

In an effort to ensure compliance with various state purchasing regulations, I wanted to share a few resources with you as you work to develop your project budget (in the case of new applicants) or move forward with the implementation of your project (if you have already been awarded Community Preservation funds). Please see the attached guidance documents.

The first is provided by the Community Preservation Coalition and broadly outlines which statutes apply to various projects based on several typical scenarios. It also addresses the applicability of the state's prevailing wage requirements to projects based on certain circumstances.

The second document is issued by the Inspector General's Office and shows more detail around the different procedural requirements that apply to each of these state statutes based on certain monetary thresholds. Generally, Massachusetts General Law Chapter 149 and Chapter 30 Section 39M cover public construction/renovation projects (both vertical and horizontal), while MGL Ch. 30B addresses the procurement of goods and services as well as real property acquisitions. Most projects that apply for Community Preservation funding fall into one of these three categories (MGL Ch. 7C Sec. 44-57 governs design/engineering projects with an overall cost of more than \$100k and design services in excess of \$10k). The charts attached are reflective of the passage of Chapter 218 of the Acts of 2016, *An Act Modernizing Municipal Finance & Government*, and went into effect on November 7, 2016.

If you are assembling a cost estimate to include in your application to the CPC, it is important to account for these statutes, as they may be a major determining factor in pricing out your proposed scope of work. Alternatively, if you are contracting for services based on a CPA award, it is equally important to comply with these statutes.

As a Massachusetts Certified Public Purchasing Official and the Town's Chief Procurement Officer, I am happy to help you navigate through what can be a complex process in determining which statutes apply to your specific project. Please feel free to reach out to me directly at any point if you have questions along the way.