



**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION**



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**CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER**

**JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER**

Bureau of Bridge Design
October 17, 2014

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

The Department of Transportation requests to place item on the Consent Calendar.

Authorize the Department of Transportation to amend PO #4002897, with HDR Engineering, Inc., Boston, MA, Vendor #169983, for the preliminary design for the replacement of the Red List bridge carrying NH Route 1B over Little Harbor between the Towns of New Castle and Rye, by extending the completion date from December 31, 2014 to June 30, 2015, effective upon Governor and Council approval. The original Agreement was approved by Governor and Council on October 17, 2012, Item #89. Time extension only, no new funding.

EXPLANATION

The Department requires professional engineering design and environmental consultant services to prepare preliminary plans for the rehabilitation or replacement of a 6-span, 254-foot, steel girder bridge with open grid deck and a single leaf bascule movable span (NH DOT Br. No. 066/071) carrying NH Route 1B over Little Harbor between the Towns of New Castle and Rye. This project is on the State's Red List with a 2014 priority number of 7. The replacement structure is anticipated to accommodate 2-lanes of traffic (one lane in each direction) with sidewalk and shoulders. Any environmental permitting required will be identified and the necessary documentation required to comply with the National Environmental Policy Act (NEPA) will be provided by the consultant. The consultant will also assist the Department in an extensive public coordination effort with the towns and users of the bridge. The Department reserves the right to either negotiate a scope and fee for the final design for the bridge replacement project with HDR Engineering, Inc., or terminate the contract. This project is currently included in the State's Ten-Year Transportation Improvement Plan (New Castle-Rye 16127).

This amendment to the Agreement is to extend the contract's original completion date to allow the consultant sufficient time to continue to develop the preliminary bridge and roadway plans once completion of cost benefit analysis has been completed. Of the original \$932,762.34 amount for this contract, there is a balance of approximately \$425,000 remaining (100% Federal Funds).

This amended Agreement has been approved by the Attorney General as to form and execution. Copies of the fully-executed amended Agreement are on file at the Secretary of State's Office and the Department of Administrative Services, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

It is respectfully requested that authority be given to amend this Agreement for consulting services as outlined above.

Sincerely,

Christopher D. Clement, Sr.
Commissioner



STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

New Castle – Rye 16127
X-A001(146)
Preliminary Design (Part “A”)
Agreement Dated September 11, 2012
Contract No. 4002897

Bureau of Bridge Design
Tel: (603) 271-2731
Fax: (603) 271-2759

October 3, 2014

HDR Engineering, Inc.
695 Atlantic Avenue, Floor 2
Boston, MA 02111-2626

Re: Extension of Completion Date

Attn: Peter E. Reilly, PE
Vice President

Dear Mr. Reilly:

This letter amends Article I, Section J, Date of Completion in the above-referenced Agreement. The original and amended dates are as follows:

Original Completion Date	December 31, 2014
By this Amendment	June 30, 2015

This no-additional-cost change order for the extension is based on your letter dated September 26, 2014. The completion date has been adjusted in accordance with the results of other discussions on this topic.

This amendment becomes effective upon approval by the Governor and Council.

Sincerely,

L. Robert Landry, PE
Consultant Design Chief, Bridge Design

Approved:

William J. Cass, PE
Director of Project Development

We concur in the above Amendment.

HDR Engineering, Inc.

By: Peter E. Reilly

Title: Sr. Vice Pres.

MWR
S:ADMIN:AGREEMNT:AMENDMNT:16127-New Castle-Rye-HDR extend PartA.docx

AGREEMENT AMENDMENT

**NEW CASTLE RYE
16127 - Part "A"
X-A001(146)**

HDR Engineering, Inc.

IN WITNESS WHEREOF the parties hereto have executed this amended AGREEMENT on the day and year first above written.

(SEAL)

Consultant

WITNESS TO THE CONSULTANT:

CONSULTANT

By: Maureen Cal

By: Pete Etnully

Title: ADMIN MGR

Title: Sr. Vic Pres

Date: 10/10/14

Date: 10/10/14

Department of Transportation

WITNESSES TO THE STATE OF NEW HAMPSHIRE

THE STATE OF NEW HAMPSHIRE

By: Michelle Brown

By: William J. Cass, P.E.
Director of Project Development

DOT COMMISSIONER

Date: 10/24/14

Date: 10/24/14

Attorney General

This is to certify that the above-amended AGREEMENT has been reviewed by this office and is approved as to form and execution.

Date: 10/28/14

By: M A W A
Assistant Attorney General
John J. Conforti

Secretary of State

This is to certify the GOVERNOR AND COUNCIL on _____ approved this amended AGREEMENT.

Date: _____

Attest:
By: _____
Secretary of State

CERTIFICATE

The undersigned hereby certifies that she is the Assistant Secretary of HDR Engineering, Inc., a Nebraska corporation (the "Corporation"), and that, as such, has custody of the minute books of the Corporation, and that, by Consent and Agreement of the Board of Directors dated May 21, 2014, the following resolution was unanimously adopted:


"RESOLVED, that effective immediately, and until June 20, 2015, or until termination of said individual from the Corporation, or until rescission by the Corporation's Board of Directors, whichever occurs first, the following individuals are hereby granted the nondelegable authority to execute or approve on behalf of the Corporation, contracts for engineering services and architectural services incidental to engineering services to be rendered by the Corporation, . . . , or releases of claim or lien in connection with such services, such contracts or releases so executed or approved shall be binding upon the Corporation:

. . . Peter E. Reilly – Senior Vice President . . ."

The undersigned further certifies that the foregoing resolution has been spread in full upon the minute books of the Corporation and is in full force and effect.

DATED Oct. 10, 2014.

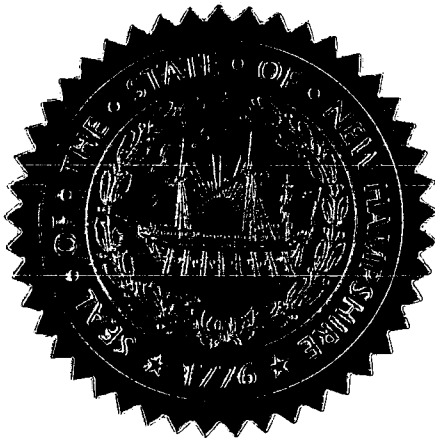
(CORPORATE SEAL)


Bonnie J. Kudron, Asst. Secretary

State of New Hampshire Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that HDR ENGINEERING, INC. a(n) Nebraska corporation, is authorized to transact business in New Hampshire and qualified on June 17, 1985. I further certify that all fees and annual reports required by the Secretary of State's office have been received.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 17th day of October, A.D. 2014

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner
Secretary of State



CERTIFICATE OF LIABILITY INSURANCE

6/1/2015

DATE (MM/DD/YYYY)
5/28/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies 444 W. 47th Street, Suite 900 Kansas City MO 64112-1906 (816) 960-9000	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
E-MAIL ADDRESS:		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : Hartford Fire Insurance Company		19682
INSURER B : Travelers Property Casualty Co of America		25674
INSURER C : New Hampshire Insurance Company		23841
INSURER D : Lexington Insurance Company		19437
INSURER E : National Union Fire Ins Co Pittsburgh PA		19445
INSURER F :		


COVERAGES HDRIN01 CERTIFICATE NUMBER: 11989626 REVISION NUMBER: XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CONTRACTUAL LIAB GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER	Y	Y	37CSEQU0950	6/1/2014	6/1/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000 \$
A A A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	N	N	37CSEQU0951 (AOS) 37CSEQU0952 (HI) 37CSE1160 (MA)	6/1/2014 6/1/2014 6/1/2014	6/1/2015 6/1/2015 6/1/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
B	<input checked="" type="checkbox"/> UMBRELLA LIAB EXCESS LIAB DED \$ RETENTION \$ <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE	N	N	ZUP-10R64084-14-NF (EXCLUDES PROF. LIAB)	6/1/2014	6/1/2015	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$ XXXXXXXX
C C E	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	027527762 (AOS) 027527764 (ME) 027527763 (CA)	7/1/2014 7/1/2014 7/1/2014	7/1/2015 7/1/2015 7/1/2015	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	<input checked="" type="checkbox"/> ARCH & ENG PROFESSIONAL LIABILITY	N	N	061853691	6/1/2014	6/1/2015	PER CLAIM: \$2,000,000 AGGREGATE: \$2,000,000.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: NEW CASTLE-RYE, X-A001(146)16127. STATE OF NEW HAMPSHIRE IS NAMED AS ADDITIONAL INSURED ON GENERAL LIABILITY AS PER WRITTEN CONTRACT, ON A PRIMARY, NON-CONTRIBUTORY BASIS. WAIVER OF SUBROGATION APPLIES WHERE APPLICABLE BY LAW. 30 DAYS NOTICE OF CANCELLATION APPLIES, 10 DAYS NOTICE FOR NON-PAYMENT OF PREMIUM.

CERTIFICATE HOLDER CANCELLATION See Attachment

11989626 THE STATE OF NEW HAMPSHIRE ATTN: MICHELLE DROUIN, CONTRACTS ADMINISTRATOR JOHN O MORTON BUILDING 7 HAZEN DRIVE PO BOX 483 CONCORD NH 03302-0483	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

POLICY DEDUCTIBLES: GENERAL LIABILITY = \$100,000 OCCURRENCE;
AUTO LIABILITY = \$100,000; PROFESSIONAL LIABILITY = \$50,000.



Danielle

THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR. COMMISSIONER

JEFF BRILLHART, P.E. ASSISTANT COMMISSIONER

Bureau of Bridge Design September 11, 2012

His Excellency, Governor John H. Lynch and the Honorable Council State House Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Transportation to enter into an Agreement with HDR Engineering, Inc., Boston, MA, Vendor #169983, for a total fee not to exceed \$932,762.34, for the preliminary design for the rehabilitation or replacement of the Red List bridge carrying NH Route 1B over Little Harbor between the Towns of New Castle and Rye, effective upon Governor and Council approval, through December 31, 2014. 100% Federal Funds.

Funding is available as follows:

Table with 3 columns: Account Number, Description, and Amount. Row 1: 04-96-96-963515-3054, Consolidated Federal Aid, FY 2013. Row 2: 046-500463, Eng Consultants Non-Benefit, \$932,762.34

EXPLANATION

The Department requires professional engineering design and environmental consultant services to prepare preliminary plans for the rehabilitation or replacement of a 6-span, 254-foot, steel girder bridge with open grid deck and a single leaf bascule movable span (NHDOT Br. No. 066/071) carrying NH Route 1B over Little Harbor between the Towns of New Castle and Rye. This project is on the State's Red List with a 2012 priority number of 17. The rehabilitated or replacement structure is anticipated to accommodate 2-lanes of traffic (one lane in each direction) with sidewalk and shoulders. Any environmental permitting required will be identified and the necessary documentation required to comply with the National Environmental Policy Act (NEPA) will be provided by the consultant. The consultant will also assist the Department in an extensive public coordination effort with the towns and users of the bridge. The Department reserves the right to either negotiate a scope and fee for the final design for the bridge rehabilitation or replacement project with HDR Engineering, Inc., or terminate the contract. This project is currently included in the State's Ten-Year Transportation Improvement Plan (New Castle-Rye 16127).

The consultant selection process employed by the Department for this qualifications-based contract is in accordance with RSAs 21-I:22, 21-I:22-c and 21-I:22-d, all applicable Federal laws and the Department's "Consultant Selection and Service Agreement Procedures" dated December 1999. The Department's Consultant Selection Committee is a standing committee that meets regularly to administer the process and make determinations. The Committee is comprised of the Assistant Director of Project Development (chair), the Chief Project Manager, the Administrators of the Bureaus of Highway Design, Bridge Design, Environment, and Materials and Research, and the Municipal Highways Engineer.

The consultant selection process for this qualifications-based contract was initiated by a solicitation for consultant services for preliminary engineering design and associated environmental services for the New Castle Rye 16127 bridge rehabilitation project. The assignment was listed as a "Possible Action Project" on the Department's website on September 9, 2010, asking for letters of interest from qualified firms. From the list of firms that submitted letters of interest, the Committee prepared a long and then short list of Consultants on October 28, 2010 for consideration and approval by the Assistant Commissioner. Upon receipt of that approval, three shortlisted firms were notified on November 30, 2010 through a technical "Request For Proposal" (RFP). Committee members individually rated the firms on January 28, 2011 using a written ballot to score each firm on the basis of

comprehension of the assignment, clarity of the proposal, capacity to perform in a timely manner, quality and experience of the project manager and the team, previous performance, and overall suitability for the assignment. (The completed individual rating ballots and the ranking summary form, as well as comments on the proposals, are attached.) The individual rankings were then totaled to provide an overall ranking of the three firms, and the Committee's ranking was submitted to the Assistant Commissioner for consideration and approval. Upon receipt of that approval, the short listed firms were notified of the results and the highest-ranking firm was asked to submit a fee proposal for negotiations.

The long list of seven (7) consultant firms that were considered for this assignment, with the three short-listed firms shown in bold, is as follows:

<u>Consultant Firm</u>	<u>Office Location</u>
CHA, Inc.	Keene, NH
CMA Engineers, Inc.	Portsmouth, NH
HDR Engineering, Inc.	Boston, MA
Parsons Transportation Group, Inc.	Boston, MA
PB Americas	Manchester, NH
TransSystems, Corporation	Boston, MA
Vanasse Hangen Brustlin, Inc.	Bedford, NH

The firm of HDR Engineering, Inc. has been recommended for this contract. This firm has an excellent reputation and has demonstrated their capability to perform the necessary engineering and technical services for this assignment. Background information on this firm is attached.

HDR Engineering, Inc. has agreed to furnish the required services for a total fee not to exceed \$932,762.34. This is a reasonable fee and is commensurate with the complexity of the project and the scope of engineering and technical services to be furnished.

This project funding is 80% Federal funds with 20% State match. Turnpike toll credit is being utilized for New Hampshire's match requirement, effectively using 100% federal funds.

This Agreement has been approved by the Attorney General as to form and execution. The Department has verified that the necessary funds are available. Copies of the fully-executed Agreement are on file at the Secretary of State's Office and the Department of Administrative Services, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

It is respectfully requested that authority be given to enter into an Agreement for consulting services as outlined above.

Sincerely,



Christopher D. Clement, Sr.
Commissioner