



State of New Hampshire  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
OFFICE OF THE COMMISSIONER  
25 Capitol Street -- Room 120  
Concord, New Hampshire 03301

VICKI V. QUIRAM  
Commissioner  
(603)-271-3201

JOSEPH B. BOUCHARD  
Assistant Commissioner  
(603)-271-3204

November 15, 2016

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

*sole source*

**REQUESTED ACTION**

Authorize the Department of Administrative Services, Division of Public Works Design and Construction to enter into a **sole source** amendment to an existing statewide mechanical consultant agreement with McFarland Johnson, Inc. (Vendor #164736), Concord, NH, originally approved by Governor and Council on October 21, 2015, Item #58 to extend the expiration date from June 30, 2018 to June 30, 2019 and increase the not-to-exceed amount by \$1,050,000, from \$300,000 to \$1,350,000. Effective upon Governor and Council through June 30, 2019.

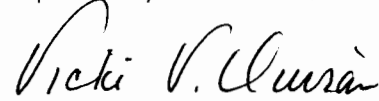
**EXPLANATION**

On October 21, 2015 (Item #58), Governor and Council approved a contract with McFarland Johnson, Inc. for statewide mechanical engineering services. This contract amendment is required to complete mechanical and related engineering services required primarily to install new heating plants for several state owned facilities in Concord that are currently obtaining heat from Concord Steam. Concord Steam is going out of business on May 31, 2017 and this contract amendment is required to design and oversee the installation of new heating plants at nine state owned facilities. McFarland Johnson, Inc. is one of two mechanical engineering firms with existing contracts that was selected to complete the work. They were selected based on their level of expertise with steam heating systems and their past performance with the State.

This request is noted as **sole source** because the amount is more than 10% of the original contract. The Department of Administrative Services, Division of Public Works Design and Construction did not publish an RFP to seek other design firms due to the emergent nature of the steam conversion project. McFarland Johnson is working to design heating systems for nine of the buildings located on the State Office Park South campus. These designs are scheduled to be out to bid by the end of March 2017, so these funds are critical to allow the designs to move forward rapidly. McFarland Johnson was chosen to assist DPW with this project because they have had an extensive successful track record of completing projects on time and on budget, while providing design that incorporates the latest technologies and provide options that match the goals of the State.

The agreement has been approved by the Attorney General as to form and execution. Copies of the fully executed agreement are on file at the Secretary of State's Office and the Department of Administrative Services, Division of Public Works Design and Construction.

Respectfully submitted,

A handwritten signature in black ink, reading "Vicki V. Quiram". The signature is written in a cursive style with a large initial "V".

Vicki V. Quiram  
Commissioner

CONTRACT SUPPLEMENTAL INFORMATION SHEET - UPDATED

**PROJECT:** Dubois and King, Inc., Mechanical statewide agreement  
Contract amendment to Increase and extend contract date for additional services required for the Steam Conversion project for multiple state of NH buildings and other mechanical and commissioning projects.

**DESCRIPTION:** This request is primarily to fund the design of heating systems for the twenty-six state buildings that are currently served by Concord Steam. These funds will also provide for required construction administration and commissioning services during and at the conclusion of these projects. These funds will also permit DuBois and King, Inc. to continue to support DPW in various mechanical projects that are currently under design or construction and will allow them to provide mechanical and commissioning services for other DPW projects.

**EXPLANATION:** The design of heating systems for twenty six state buildings currently served by Concord Steam is a critical project for the State. These buildings are not currently provided with heating systems and will need to have them designed and installed on an accelerated schedule to address the impending closing of Concord Steam facility at the end of May 2017. DuBois and King, Inc. is working to design heating systems for seventeen of the buildings located in the downtown area and on State Office Park South campus. These designs are scheduled to be out to bid by the end of March 2017, so these funds are critical to allow the designs to move forward rapidly. DuBois and King, Inc. was chosen to assist DPW with this project because they have had an extensive successful track record of completing projects on time and within budget, while providing designs that incorporate the latest technologies and provide options that align with the goals of the State.

**CONTRACT  
AMENDMENT  
AMOUNT:** \$1,000,000



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
11/03/2016

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 <b>Kinney Pike - Randolph</b> 42 Meadow Lane Randolph, VT 05060 Ben Merrill	CONTACT NAME: <b>Karen Larocque</b>	FAX (A/C, No): <b>802-728-4625</b>	
	PHONE (A/C, No, Ext): <b>802-728-4434</b>	E-MAIL ADDRESS: <b>klarocque@kinneypike.com</b>	
INSURED <b>DuBois &amp; King, Inc.</b> PO Box 339 Randolph, VT 05060	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : <b>Patriot Insurance Company</b>		
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

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"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <b>Blanket A1 per written contract</b> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		X	BOP6224311	06/01/2016	06/01/2017	EACH OCCURRENCE \$ <b>2,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>500,000</b> MED EXP (Any one person) \$ <b>10,000</b> PERSONAL & ADV INJURY \$ <b>2,000,000</b> GENERAL AGGREGATE \$ <b>4,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>4,000,000</b> <b>Emp Benef</b> \$ <b>2,000,000</b>
A	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			BA6224311	06/01/2016	06/01/2017	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ <b>10000</b>			CU6224311	06/01/2016	06/01/2017	EACH OCCURRENCE \$ <b>5,000,000</b> AGGREGATE \$ <b>5,000,000</b>
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N <input checked="" type="checkbox"/> N <input type="checkbox"/> A	WC6224311	06/01/2016	06/01/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ <b>500,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>500,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>500,000</b>
A	<b>Rail Road Protective Liab</b>			CPP3083198	10/28/2016	11/28/2016	<b>Aggregate</b> <b>6,000,000</b> <b>Each Occu</b> <b>2,000,000</b>

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**RE: Mechanical Statewide Agreement**  
Certificate Holder is additional insured under general liability as required by written contract for work performed by insured subject to terms and conditions of the policy.

<b>CERTIFICATE HOLDER</b>  <b>State of New Hampshire</b> Dept of Administrative Service PO Box 483 Concord, NH 03302	<b>CANCELLATION</b>  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 <i>Karen Larocque</i>
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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
11/03/2016

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<b>PRODUCER</b> Poole Professional Ltd.-TM 107 Audubon Rd. #2, Ste. 305 Wakefield, MA 01880 Thomas M. Mullard	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): <b>800-371-1063</b>	FAX (A/C, No):	
	<b>E-MAIL ADDRESS:</b>		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>	
<b>INSURED</b> DuBois & King, Inc. P.O. Box 339 Randolph, VT 05060	<b>INSURER A : XL Specialty Insurance Company</b>		<b>37885</b>
	<b>INSURER B :</b>		
	<b>INSURER C :</b>		
	<b>INSURER D :</b>		
	<b>INSURER E :</b>		
<b>INSURER F :</b>			

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

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INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
<b>A</b>	<b>Arch./Engrs. Prof. Liability</b>		<b>DPR9807605</b>	<b>08/01/2016</b>	<b>08/01/2017</b>	<b>Per Claim 2,000,000</b> <b>Aggregate 2,000,000</b>

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**Deductible - \$75,000.**  
**Project: Mechanical Statewide Agreement.**

<b>CERTIFICATE HOLDER</b>  <b>STATENH</b>  State of New Hampshire Dept. of Administrative Services P.O. Box 483 Concord, NH 03301	<b>CANCELLATION</b>  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 
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**State of New Hampshire**  
**DEPARTMENT OF ADMINISTRATIVE SERVICES**  
**OFFICE OF THE COMMISSIONER**  
 25 Capitol Street – Room 120  
 Concord, New Hampshire 03301

VICKI V. QUIRAM  
 Commissioner  
 (603)-271-3201

JOSEPH B. BOUCHARD  
 Assistant Commissioner  
 (603)-271-3204

Bureau of Public Works  
 Design & Construction

September 21, 2015

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

10/21/2015

**RECEIVED**

OCT 01 2015

**Bureau of Public Works**

**REQUESTED ACTION**

Authorize the Department of Administrative Services (the Department), Bureau of Public Works Design and Construction to enter into an agreement with Dubois & King, Inc. (Vendor Code 160381), South Burlington, VT 05403 for Mechanical Engineering Services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department. The contract is effective from the date of Governor and Council approval through June 30, 2018. The amount expended under this agreement shall not exceed \$300,000.00.

**EXPLANATION**

The Department proposes to retain the private consulting firm of Dubois & King, Inc. to expedite the current project workload and provide appropriate technical expertise as required for specific projects. This agreement is a proposed contract with the Mechanical Engineering Services firm selected to provide on-call Mechanical Engineering Services. It is anticipated that Mechanical Engineering Services can be handled by four (4) Mechanical firms through the contract period.

The agreement will enable the Department to respond quickly to unscheduled project requests and possible emergencies regarding mechanical issues. The decision as to which projects will be assigned will be made on a case-by-case basis depending on the particular expertise required and the firm's current workload.

This type of consulting agreement will be funded from the monies for each project. The majority of projects needing this type of mechanical consultant work are maintenance and capital funded projects.

The consultant selection process employed by the Department for this project 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 procedures for "Selection of Engineers, Architects and Surveyors dated July 28, 2005.

In April 2015, the Bureau of Public Works Design & Construction advertised in the Union Leader, the Bureau of Public Works Design & Construction website and email notification soliciting interest in providing on-call Mechanical Engineering Services. Fifteen (15) consultant firms submitted letters of interest and were considered for this assignment. The firms were then rated 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 team, and overall suitability for the assignment.

Colby Company, LLC  
CSI Engineering, LLC  
Dubois & King, Inc.  
Fay, Spofford & Thorndike  
Fitzemeyer & Tocchi Associates, Inc.  
Harriman  
McFarland Johnson, Inc.  
Oak Point Associates

John F. Penney Consulting Svcs, PC  
Rist-Frost-Shumway Engineering, PC  
SMRT  
Stantec Consulting  
H. L. Turner Group  
WV Engineering Associates, PA  
Yeaton Associates, Inc.

It is now the Department's intent to enter into Statewide Consultant Service Agreements with the four (4) highest rated firms as their legal documentation and Certificate of Insurance become available.

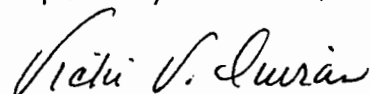
Colby Company, LLC  
Dubois & King

Harriman  
McFarland Johnson

A copy of Dubois & King, Inc.'s Statement of Qualifications is provided, herewith, for your information and convenience.

The subject agreement has been approved by the Attorney General as to form and execution. Copies of the fully executed agreement are on file at the Secretary of State's Office and the Department of Administrative Services, Bureau of Public Works Design & Construction.

Respectfully submitted,



Vicki V. Quiram  
Commissioner





## Explanation of Statewide Consultant Committee Selection

Members are selected using the approved guidelines for the Bureau of Public Works Design and Construction "Selection of Engineering, Architects, and Surveyor Services". Per these guidelines, the Committee should consist of the Bureau Administrator plus two other Project Managers.

The **Administrator** is a member of all the Selection Committees, serving to provide the larger perspective of the consultant capabilities that are desired, also bringing knowledge of the quantity of work and various types of anticipated projects the consultant may be called on to perform. He brings the perspective of achieving agency goals, using a balance of those consultants who have performed excellent work in the past, along with bringing in new consultant firms.

The **Assistant Administrator** manages the day-to-day oversight of the Consultant assignments, and is the second member of all the selection committees. Her job description specifically outlines her involvement in the management of the consultants. She brings the expertise of the day-to-day working with consultants. Her past and present experience involves frequent interaction with consultants, including review of consultants' proposals and their engineering work.

The **discipline head**, for the specific type of work the consultant is being hired for (i.e. Mechanical, Civil, etc.), brings additional expertise concerning the capabilities of various consultants they have worked with. Their years of project management experience provide the more detailed perspective about the various consultants' strengths or weaknesses and how they would fit with the project needs.

Administrator PM6	Theodore Kupper – 1 1/2 years State service 35 years private sector
Assist. Administrator PM5	Michelle Juliano- 27 years State service
Mechanical Eng. PM4	Beverly Kowalik - 22 years State service