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State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES

25 Capitol Street - Room 120
Concord, New Hampshire 03301
Office@das.nh.gov

Charles M. Arlinghaus
Commissioner
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Assistant Commissioner
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Catherine A. Keane
Deputy Commissioner
(603) 271-2059

Division of Public Works
Design and Construction
Project No. 81063 - Contract B

May 17, 2019

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

1). Authorize the Division of Public Works Design and Construction to enter into a **sole source** contract with D. L. King & Associates Inc., (VC# 168979) Nashua, NH, for a total price not to exceed \$88,000, for the New Hampshire Veterans Home Generator and Dementia Wander Guard System Replacement, Tilton, NH. Effective upon Governor and Council approval through November 15, 2019, unless extended in accordance with the contract terms. **100% General Funds.**

2). Further authorize the amount of \$8,000 be approved for payment to the Department of Administrative Services, Division of Public Works Design and Construction (VC# 177875), for engineering services provided, bringing the total to \$96,000. **100% General Funds.**

Funding is available in account titled Veterans Home as follows:

	<u>SFY19</u>
05-43-43-430010-53580000 Contractual Mint. Bldg.-Grounds	
048-500226 - Repair/Renovations Bldgs.	\$88,000
048-500226 - Interagency/DPW Fees	<u>8,000</u>
Grand Total	\$96,000

EXPLANATION

The reason that this is being requested as a **sole source** contract is due to a need to negotiate a reduction in scope of work because both bids received were over the estimate and exceeded the customary +/-10% bid reduction. In addition, the Agency's funding will lapse as of June 30, 2019.

This project includes work to connect various electrical panels located in Tarr North, Tarr South and Welch Buildings to the existing generator located at the New Hampshire Veterans Home in Tilton, NH. This will provide emergency power for the laundry, kitchen, lighting circuits as well as some heat pumps.

The contractor has been pre-qualified by the Department of Transportation. The contract has been approved by the Attorney General as to form and execution, and the New Hampshire Veterans Home has certified that the necessary funds are available. Copies of the fully executed contract are on file at the Secretary of State's Office and the Department of Administrative Services, Division of Public Works Design and Construction.

Attached please find a copy of the tabulation of bids for this project along with the contract supplemental information sheet.

Respectfully submitted,



Charles M. Arlinghaus
Commissioner

Department Estimate: \$ 191,000
Contract Amount: \$ 88,000 (negotiated)
Under Estimate: \$ 103,000

CONTRACT SUPPLEMENTAL INFORMATION SHEET

PROJECT: DPW Project No. 81063, Contract B – New Hampshire Veterans' Home Generator and Dementia Wander Guard System Replacement, Tilton New Hampshire.

DESCRIPTION: Scope of the project includes work to connect various electrical panels located in Tarr North, Tarr South and Welch Buildings to the existing generator located at the New Hampshire Veterans Home in Tilton, New Hampshire. This will provide emergency power for the laundry, kitchen, lighting circuits as well as some heat pumps. In addition, a new patient wander guard system is to be installed in the LEDU building to replace the existing system.

EXPLANATION: As a health care facility, the home is required to be provided with a generator to provide essential life safety services for the residents. This project was to connect additional panels to the existing generator to enable the home to better care for residents during a power outage. In addition, the aging secure care system at the dementia building was slated to be replaced as parts were difficult to find.

SOLE SOURCE EXPLANATION: The two competitive bids for this project came in over the estimate and the Agency is funding the project with money that will lapse at the end of this fiscal year. In order to use the funds prior to the lapse, the more expensive bid item (the Wander System) was negotiated out of the bid with the low bidder. Because this negotiated reduction in scope of work is more than the customary +/-10% bid negotiation range, an award would be considered a sole-source bid. Because sole source awards are not desirable, the project would normally be rebid. However, because the funds for the project will lapse before a new competitive bid package can be prepared, advertised and bid, the project will be awarded as a sole source bid to be able to use the Agency funds for this important security project at the New Hampshire Veterans Home.

OVER ESTIMATE

EXPLANATION:

There were two bidders that submitted bids, even though this was an invitational bid. Because the majority of the work is electrical, and electrical contractors are extremely busy, two contractors indicated that they could not submit a bid because they could not find an electrical contractor. The two bidders were an average of 24 percent above the estimated project cost. Because this is being paid for by the Agency's maintenance fund, there are insufficient funds to complete all of the work as bid. Bid items were removed (the wander guard system).

DEPARTMENT

ESTIMATE: \$191,000

LOW BID: \$243,000

NEGOTIATED: \$ 88,000



Division of Public Works

ABC Bid Data

TILTON
81063B
NON-FEDERAL

PROJECT: TILTON
STATE PROJECT NUMBER: 81063B
FED. PROJECT NUMBER: NON-FEDERAL
DATE BIDS OPEN: April 24, 2019, 02:00 PM
SCOPE OF WORK: NH VETERANS HOME GENERATOR & DEMENTIA WANDER GUARD SYSTEM REPLACEMENT
COMPLETION DATE: November 15, 2019
LOCATION: Belknap

Certified by: _____
Administrator

Summary of Bidders

Contractor	Bid Amount	Rank
D. L. KING & ASSOCIATES INC. 27 TANGLEWOOD DRIVE, NASHUA NH 03062-1044	\$243,000.00	A
LAFLAMME, INC. GERARD A. 100 HARVEY ROAD, PO BOX 5706, MANCHESTER NH 03108	\$264,000.00	B

901 = \$ 80,000.-
 902 = \$ 142,000.-
 903 = \$ 13,000.-
 904 = \$ 8,000.-

 Total = \$ 243,000.-
 Revised to: \$ 88,000.- 5/8/19

BUREAU OF PUBLIC WORKS

Award to DL King + Assoc., Inc.
 Hold for Negotiation
 Cancel Contract
 User Agency Vets Home
 Authorized by [Signature]
 Date 05/14/2019



D.L. KING
 & Associates, Inc.
GENERAL CONTRACTOR
 NASHUA, NH

dlkingNH.com
 info@dlkingNH.com

27 Tanglewood Drive Nashua, NH 03062-1044
 Office: 603-883-5880
 Fax: 603-883-5880

NEGOTIATED LETTER ACCEPTANCE:

May 8, 2019

Ms. Beverly Kowalik
 Contract Administrator
 John O. Morton Bldg.
 7 Hazen Drive
 Concord, NH 03302

Contractor's Signature (or Designee)	Print Name/Agency	Date

Re: 81063 Contract B; NH Veterans Home Generator & Dementia Wander Guard System Replacement
 Contract Negotiation E-Mail DTD 5/8/2019

Dear Beverly,

Pursuant to E-Mail above D.L. King & Associates, Inc, in concert with their subcontractors, accepts the revised scope of work to delete Bid Items 902 and 903 as requested by the State and Contract to include only the Bid Items listed below.

Bid Item # 901 ADD EXISTING LOADS TO EXISTING GENERATOR \$ 80,000.00

Bid Item #901 As Bid: \$ 80,000.00

Bid Item # 904 ALLOWANCE

Item #904 as Bid: \$ 8,000.00

Total Revised Bid \$ 88,000.00

Yours truly,

 Arthur E King, PE/CEO



CERTIFICATE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)

5/17/2019

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.

If this certificate is being prepared for a party who has an insurable interest in the property, do not use this form. Use ACORD 27 or ACORD 28.

PRODUCER THE ROWLEY AGENCY INC. 45 Constitution Avenue P.O. Box 511 Concord NH 03302-0511	CONTACT NAME: Renee Skillings PHONE (A/C, No, Ext): (603) 224-2562 FAX (A/C, No): (603) 224-8012		
	E-MAIL ADDRESS: rskillings@rowleyagency.com PRODUCER CUSTOMER ID: 00007629		
INSURED D.L. King & Associates, Inc. 27 Tanglewood Drive Nashua NH 03062	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Liberty Mutual Ins Co (Peerless)		
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES **CERTIFICATE NUMBER:** 19-20 BR #81063 **REVISION NUMBER:**

LOCATION OF PREMISES / DESCRIPTION OF PROPERTY (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Loc#: 00001/Bldg#: 00001, 139 Winter St, Tilton, NH, 03276

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	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	COVERED PROPERTY	LIMITS
	<input type="checkbox"/> PROPERTY				BUILDING	\$
	<input type="checkbox"/> CAUSES OF LOSS				PERSONAL PROPERTY	\$
	<input type="checkbox"/> BASIC				BUSINESS INCOME	\$
	<input type="checkbox"/> BROAD				EXTRA EXPENSE	\$
	<input type="checkbox"/> SPECIAL				RENTAL VALUE	\$
	<input type="checkbox"/> EARTHQUAKE				BLANKET BUILDING	\$
	<input type="checkbox"/> WIND				BLANKET PERS PROP	\$
	<input type="checkbox"/> FLOOD				BLANKET BLDG & PP	\$
						\$
A	<input checked="" type="checkbox"/> INLAND MARINE	TYPE OF POLICY			<input checked="" type="checkbox"/> JOBSITE LIMIT	\$ 88,000
	<input type="checkbox"/> CAUSES OF LOSS	Installation/Builder Risk			<input checked="" type="checkbox"/> STORAGE LIMIT	\$ 44,000
	<input type="checkbox"/> NAMED PERILS	POLICY NUMBER			<input checked="" type="checkbox"/> IN TRANSIT LIMIT	\$ 44,000
	<input checked="" type="checkbox"/> SPECIAL FORM	BR05202019	5/20/2019	11/20/2019	<input checked="" type="checkbox"/> FLOOD/QUAKE (EACH)	\$ 88,000
	<input type="checkbox"/> CRIME					\$
	<input type="checkbox"/> TYPE OF POLICY					\$
	<input type="checkbox"/> BOILER & MACHINERY / EQUIPMENT BREAKDOWN					\$
						\$
						\$

SPECIAL CONDITIONS / OTHER COVERAGES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Project: Veterans Home Generator and Dementia Wander Guard System Replacement, Project No. 81063B

CERTIFICATE HOLDER **CANCELLATION**

Insured	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 Renee Skillings/RLS <i>Renee Skillings, CRIS</i>



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/17/2019

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 THE ROWLEY AGENCY INC. 45 Constitution Avenue P.O. Box 511 Concord NH 03302-0511	CONTACT NAME: Renee Skillings	
	PHONE (A/C No, Ext): (603) 224-2562	FAX (A/C, No): (603) 224-8012
E-MAIL ADDRESS: rskillings@rowleyagency.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Berkley Specialty Company		31295
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** 19-20 OCP #81063 **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 LWD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY			OCP05202019	5/20/2019	11/20/2019	EACH OCCURRENCE \$ 2,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Owners & Contractors Protective Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Veterans Home Generator and Dementia Wander Guard System Replacement, Project No. 81063B, 139 Winter St., Tilton, NH 03276

CERTIFICATE HOLDER**CANCELLATION**

Insured	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 Renee Skillings/RLS <i>Renee L. Skillings, CRIS</i>

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