



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street - Room 120
Concord, New Hampshire 03301
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Division of Public Works
Design & Construction

May 29, 2019

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

REQUESTED ACTION

Authorize the Department of Administrative Services, Division of Public Works Design and Construction to enter into an agreement with McFarland Johnson, Inc., (Vendor Code 164736) 53 Regional Drive, Concord, New Hampshire, 03301 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, 2022. The amount expended under this agreement shall not exceed \$300,000.

EXPLANATION

The Department proposes to retain the private consulting firm of McFarland Johnson, Inc. to expedite the current project workload and provide appropriate technical expertise as required for specific projects. This is one (1) of three (3) open-ended agreements for Mechanical Engineering services that will be presented for approval. The agreement will enable the Department to respond quickly to unscheduled project requests and possible emergencies regarding Mechanical Engineering 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 Engineering Services consultant work are maintenance and capital funded 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 two (2) additional Mechanical Engineering firms through the contract period.

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. Consensus scoring was used in this selection process in order to assure that the perspective of each committee member received proper consideration during scoring deliberations. Each committee member, which included Theodore Kupper, Michelle Juliano, and Gary Brown, brings different strengths and knowledge to the table. This allows thorough discussion and weighing of the different perspectives during the scoring process. This process also makes follow-up explanations to the unselected firms easier.

In February 2019, the Division of Public Works Design & Construction advertised in the Union Leader, the Division of Public Works Design & Construction website and email notification soliciting interest in providing on-call Mechanical Engineering Services. The following table lists the twelve (12) consultant firms who submitted letters of interest and were considered for this assignment:

Dubois & King, Inc.	Fitzemeyer & Tocci Associates, Inc.
Harriman Associates	McFarland Johnson, Inc.
NV5	Oak Point Associates
Rist-Frost-Shumway Engineering, PC	SMRT Architects & Engineering
Stantec Consulting Services, Inc.	H. L. Turner Group
WV Engineering Associates, PA	Yeaton Associates, Inc.

These firms were evaluated based on years of experience, experience on relative projects and past experience with the Division of Public Works, if any. The top six (6) rated firms listed below, were sent a Request for Technical Proposals:

Dubois & King, Inc.	McFarland Johnson, Inc.
Fitzemeyer & Tocci Associates, Inc.	Oak Point Associates
Harriman Associates	Yeaton Associates, Inc.

The proposals were rated on the 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.

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Page 3 of 3

It is now the Department's intent to enter into Statewide Consultant Service Agreements with the three (3) highest rated firms as their legal documentation and Certificate of Insurance become available:

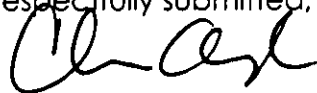
Dubois & King, Inc.
McFarland Johnson

Harriman Associates

A copy of McFarland Johnson, 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, Division of Public Works Design & Construction.

Respectfully submitted,



Charles M. Arlinghaus
Commissioner

Interview/Selection date: 9-Apr-19

**COMMITTEE PROPOSAL RATING FOR
MECHANICAL STATEWIDE**

Consultant Name	Comprehension of Assignment	Clarity of Proposal	Capacity to Perform in a Timely Manner	Quality and Experience of PM/Team	Overall Suitability for the Assignment	Total Score	Cumulative Score
DuBois & King							100.0
<i>Ted Kupper</i>	5	5	5	5	5	25	
<i>Michelle Juliano</i>	5	5	5	5	5	25	
<i>Beverly Kowalik</i>	5	5	5	5	5	25	
<i>David Goulet</i>	5	5	5	5	5	25	
Fitzemeyer & Tocci							0.0
<i>Ted Kupper</i>	0	0	0	0	0	0	
<i>Michelle Juliano</i>	0	0	0	0	0	0	
<i>Beverly Kowalik</i>	0	0	0	0	0	0	
<i>David Goulet</i>	0	0	0	0	0	0	
Harriman							94.0
<i>Ted Kupper</i>	5	5	4	5	4	23	
<i>Michelle Juliano</i>	5	4	5	4	5	23	
<i>Beverly Kowalik</i>	5	5	4	5	5	24	
<i>David Goulet</i>	5	5	5	5	4	24	
McFarland Johnson							98.0
<i>Ted Kupper</i>	4	5	5	5	5	24	
<i>Michelle Juliano</i>	5	5	5	5	5	25	
<i>Beverly Kowalik</i>	5	5	5	4	5	24	
<i>David Goulet</i>	5	5	5	5	5	25	
Oak Point Assoc.							90.0
<i>Ted Kupper</i>	4	5	5	4	4	22	
<i>Michelle Juliano</i>	3	4	5	5	5	22	
<i>Beverly Kowalik</i>	4	5	5	4	5	23	
<i>David Goulet</i>	5	5	4	5	4	23	
Yeaton Assoc.							78.0
<i>Ted Kupper</i>	4	5	2	3	4	18	
<i>Michelle Juliano</i>	3	3	4	5	5	20	
<i>Beverly Kowalik</i>	4	4	5	4	4	21	
<i>David Goulet</i>	5	3	3	4	4	19	

<===== Highest Rating

<===== Highest Rating

<===== Highest Rating

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, Architectural, Electrical 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 PM7	Theodore Kupper – 5 years State service 35 years private sector
Assist. Administrator PM5	Michelle Juliano- 31 years State service
Mechanical Eng. PM4	Beverly Kowalik - 26 years State service
Civil Engineer PM4	Roger Dionne- 33 years State Service
Electrical Engineer PM4	Gordon Graham- 17 years State Service, 25 years private
Architectural PM4	7 years State Service, 34 years private sector
Senior Mechanical Engineer	David Goulet - 34 years State Service



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/05/2019

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 have ADDITIONAL INSURED provisions or 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 Fenner & Esler Agency, Inc. PO Box 60 Oradell, NJ 07649	1-201-262-1200	CONTACT NAME: Timothy P. Esler, CPCU PHONE (A/C, No, Ext): 201-262-1200 E-MAIL ADDRESS: certs@fenner-esler.com	FAX (A/C, No): 201-262-781-
	INSURED McFarland-Johnson, Inc. att: Frank J. Greco 49 Court Street, Metrocenter PO Box 1980 Binghamton, NY 13902-1980		INSURER(S) AFFORDING COVERAGE INSURER A: Berkshire Hathaway Specialty Insurance INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** 534770877 **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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <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 \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Professional Liability			47-BPP-305431-02 FULL PRIOR ACTS	06/15/19	06/15/20	Per Claim 5,000,000 Annual Aggregate 5,000,000 Deductible per clm 50,000

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

Lebanon, NH & Hartford, VT, A001(154), 16148, Final Design

RECEIVED

JUN 10 2019

Bureau of Public Works**CERTIFICATE HOLDER****CANCELLATION**

State of New Hampshire - Dept of Administrative Services

P. O. Box 483

Concord, NH 03302

USA

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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ACORD 25 (2016/03)

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jvalentino
534770877



MCFAJOH-01

KLISHM

CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YYYY)
5/21/2019

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 have ADDITIONAL INSURED provisions or 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 Robert J Hanafin a division of IOA 31 Lewis Street Suite 201 Binghamton, NY 13901	CONTACT NAME: Renee Davidson		
	PHONE (A/C, No., Ext): (607) 338-1242 45213	FAX (A/C, No.): (607) 754-9797	
E-MAIL ADDRESS: renee.davidson@ioausa.com			
INSURED McFarland Johnson, Inc. 49 Court Street PO Box 1980 Binghamton, NY 13902-1980	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : National Fire Insurance Co of Hartford		20478
	INSURER B : Continental Insurance Company		35289
	INSURER C : American Casualty Company of Reading, Pennsylvania		20427
	INSURER D :		
	INSURER E :		
INSURER F :			

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	ADDD 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 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:	X		6056803227	1/1/2019	1/1/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			6056803213	1/1/2019	1/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			6056803244	1/1/2019	1/1/2020	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below			WC656803230	1/1/2019	1/1/2020	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Val Pprs & Records			6056803227	1/1/2019	1/1/2020	Blanket Limit \$ 150,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Project: Mechanical Statewide Engineering Services.

State of New Hampshire Department of Administrative Services and all other parties as required by written contract are additional insured on a primary and noncontributory basis including completed operations in regard to general liability per endorsement number CNA74858NY.

CERTIFICATE HOLDER**CANCELLATION**

State of New Hampshire Department of Administrative Services P. O. Box 483 Concord, NH 03302	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 