



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION

MAY 01 '15 PM 2:23 DAS



WILLIAM CASS, P.E.  
ASSISTANT COMMISSIONER

April 17, 2015  
Bureau of Aeronautics

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

**REQUESTED ACTION**

Authorize the Department of Transportation to amend a grant to provide additional funding to the City of Concord (Vendor 177376) for SBG-04-03-2009, to install wildlife perimeter fencing at the Concord Municipal Airport. State and Federal participation in the amount of \$774.85 is effective upon Governor and Council approval. 97.44% Federal Funds, 2.56% General Funds.

Funding is available as follows:	<u>FY 2015</u>
04-96-96-960030-0997	
FAA Projects	
034-500151 Bonded Expenses	\$774.85

**EXPLANATION**

One Federal Aviation Administration (FAA) State Block Grant has been awarded for \$792,769.00 (3-33-SBGP-11-2011) from which \$755.00 (or 95% of the project cost) is proposed to amend this airport development project (SGB-04-03-2009 copy attached) to install wildlife perimeter fencing at the Concord Municipal Airport.

*In accordance to FAA Order 5100.38D, under normal conditions, the State can amend a grant at the close out of the project to adjust the grant amount to reflect final costs. Once the project is complete, the Department must wait for federal grant funding to become available from other completed projects before issuing an amendment.*

The amendment is necessary to fund changes to fund an additional 28 linear feet of fence. In addition, the increase in funding is to place additional erosion stones at the base of the fence in areas of a ravine where the ground was uneven and the gap between the ground and bottom of the fence exceeded 6 inches. Preventing gaps in the fence is necessary to maintain a safe airport environment.

The Department of Transportation accepts the Federal Funds for this project as a pass through to the City of Concord in accordance with RSA 422:15. The total federal share of this project including the amendment will increase the FAA share from \$116,852.00 to \$117,607.00, which equates to an increase of \$755.00. State participation in the amount of \$19.85 (2 ½ % of this project) is also requested. The City of Concord will provide a matching share of \$19.85 (2 ½ % of this project). The total cost of this amendment for this project is \$794.70. The original grant (attached) passed Governor and Council on October 21, 2009, Item #109.

The Contract has been approved by the Attorney General as to form and execution, and the Department has verified 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 Service's Office, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

In the event that the Federal Funds become no longer available, General Funds will not be requested to support this program.

Please note that the state funds are from the General Fund and have been previously approved in HB25, 2011 253:1 XIV-A Capital Budget.

Sincerely,

A handwritten signature in black ink, appearing to read "William Cass".

William Cass, P.E.

Assistant Commissioner

WC/tls

Attachments



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



JEFF BRILLHART, P.E.
ACTING COMMISSIONER

Table with 2 columns: Label and Value. Labels include AIP Grant Number, DUNS Number, Airport/Planning Area, and Location. Values include SBG-04-03-2009, 80-668-9998, Concord Municipal Airport, and Concord, New Hampshire.

AMENDMENT NO. 1 TO GRANT AGREEMENT PROJECT NO. SBG-04-03-2009 City of Concord, New Hampshire

WHEREAS, the State of New Hampshire acting through the New Hampshire Department of Transportation (hereinafter referred to as the "State") has determined it to be in the interests of the United States and the State that the Grant Agreement between the State, acting for and on behalf of the Federal Aviation Administration (hereinafter referred to as the "FAA"), the United States, the State of New Hampshire, and the City of Concord, New Hampshire (hereinafter referred to as the "Sponsor"), accepted by said Sponsor on September 30, 2009, be amended in conformance with the Sponsor's letter dated November 10, 2010 and as hereinafter provided.

NOW THEREFORE, WITNESSETH:

That in consideration of the benefits to accrue to the parties hereto, the State on behalf of the FAA and United States, and State of New Hampshire on the one part, and the Sponsor, on the other part, do hereby mutually agree that the said Grant Agreement be and hereby is amended as follows:

To the maximum amount of the obligation of the United States, and State as set forth in paragraph 1 of the terms and conditions of the Grant Agreement between the United States, the State, and the Sponsor, is hereby increased from \$119,927.00 to \$120,701.85.

All other terms and conditions of the Grant Agreement remain in full force and effect.



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



JEFF BRILLHART, P.E.
ACTING COMMISSIONER

Page 2 of 3 Pages

SBG-04-03-2009
AIP Grant Number
80-668-9998
DUNS Number
Concord Municipal Airport
Airport/Planning Area
Concord, New Hampshire
Location

IN WITNESS WHEREOF, the parties hereto have caused this amendment to said Grant Agreement to be duly executed as of the 16th day of April, 2015. Such Grant Amendment shall become effective upon the Sponsor's and the New Hampshire Governor and Council's acceptance of this Grant Amendment.

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

[Handwritten Signature]
(Signature)

Patrick C. Herlihy

(Typed Name)

Director, Division of Aeronautics, Rail & Transit

(Title)

Attorney General: This is to certify that the above Agreement has been reviewed by this office, and is approved as to form and execution.

Dated: 4/30/15

By: [Handwritten Signature]
Assistant Attorney General

Secretary of State: This is to certify that the Governor and Council on \_\_\_\_\_ approved this Agreement.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Secretary of State

Attest: \_\_\_\_\_

\_\_\_\_\_

(Title)



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



JEFF BRILLHART, P.E.
ACTING COMMISSIONER

SBG-04-03-2009
AIP Grant Number
80-668-9998
DUNS Number
Concord Municipal Airport
Airport/Planning Area
Concord, New Hampshire
Location

City of Concord
(Name of Sponsor)

[Handwritten Signature]
(Signature of Sponsor's Designated Official Representative)

By: Thomas J. Aspell, Jr.
(Typed Name of Sponsor's Designated Official Representative)

Title: City Manager
(Title of Sponsor)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, Jim Kennedy, acting as Attorney for the Sponsor do hereby certify:

That I have examined the foregoing Amendment to the Grant Agreement and the proceedings taken by said Sponsor relating thereto, and find that the execution thereof by said Sponsor has been duly authorized and is in all respects due and proper in accordance with the laws of the State of NH and further that, in my opinion, said Amendment to the Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at Concord this 17th day of March 2015.

By [Handwritten Signature]
(Signature of Sponsor's Attorney)



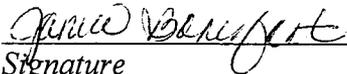
## CERTIFICATE OF VOTE

I, Janice Bonenfant, do hereby certify that I am the City Clerk of the City of Concord, a municipality in the State of New Hampshire, County of Merrimack, in the United States of America.

I do further certify that Thomas J. Aspell, Jr. is the City Manager of the municipality and is duly authorized by the by-laws and laws of the State of New Hampshire to execute and deliver on behalf of the municipality any contracts with the State of New Hampshire for the purpose of installing wildlife fence – Phase II. This authority was given during an official meeting of the Concord City Council on September 14, 2009.

I further certify that such authority has not been repealed, rescinded, or amended.

In witness whereof, I have hereunto set my hand and attached the seal of the City of Concord on this 17<sup>th</sup> day of March 2015.

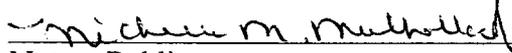
  
\_\_\_\_\_  
Signature

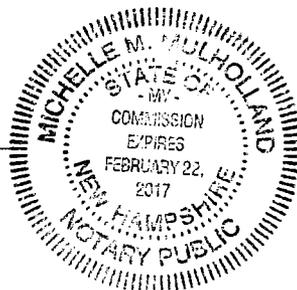
SEAL

City Clerk

State of New Hampshire, County of Merrimack

Dated this 17<sup>th</sup> day of March 2015 personally appeared Janice Bonenfant, who subscribed and sworn to the above statement.

Attest:   
\_\_\_\_\_  
Notary Public





## CERTIFICATE OF INSURANCE

This is to certify to  
(Certificate Holder):

State of New Hampshire – Department of Transportation  
John O. Morton Building  
7 Hazen Drive / Post Office Box 483  
Concord, NH 03302-0483

The following policy(ies)  
Have been issued to:

City of Concord  
41 Green Street  
Concord, NH 03301

**AIRPORT OWNERS AND OPERATORS POLICY INFORMATION:**

AIRPORT POLICY NO: PR 001659 17      POLICY PERIOD:    FROM: July 1, 2014      TO: July 1, 2015

THIS COVERAGE IS EFFECTIVE 12:01 A.M. July 1, 2014

INSURANCE COMPANY: OLD REPUBLIC INSURANCE COMPANY

**LIABILITY COVERAGES:**

- Comprehensive General Liability      \$ XXXX
- Completed Operations / Products Liability      \$ XXXX
- Hangarkeepers Liability      \$
- Premises Medical Payments      \$
- \$

**LIMITS OF LIABILITY**

Each Person	\$ 5,000,000	Each Occurrence*
Each Person	\$ 5,000,000	Each Occurrence*
Each Person	\$	Each Loss*
Each Person	\$	Each Accident*
Each Person	\$	Each Loss*

**THIS CERTIFICATE HOLDER IS:**

- Included as a Loss Payee for Aircraft Physical Damage Coverage.
- Breach of Warranty Coverage on Aircraft Physical Damage as their interest may appear not to exceed 90% of the Insured Value.
- Included as an Additional Insured but only with respect to liability arising out of your "Airport Operations"
- Provided a Waiver of Subrogation on Aircraft Physical Damage Coverage, but only

**OTHER COVERAGES / CONDITIONS / REMARKS:**

Provision has been made to give the Certificate Holder sixty (60) days notice of cancellation - ten (10) days for nonpayment of premium of any policy above; however, the Company assumes no responsibility for the failure to provide such notice. This Certificate does not change in any way the actual coverages provided by the policy(ies) specified above.

Phoenix Aviation Representative:

Agency Name:      NationAir Insurance - NH  
Agency Phone:      800-356-7075

*Paul Howard*

Date March 5, 2015



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/5/2015

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).

<b>PRODUCER</b> FIAI/Cross Insurance 1100 Elm Street  Manchester NH 03101		<b>CONTACT NAME:</b> Tara Dean, CIC <b>PHONE (A/C No. Ext.):</b> (603) 669-3218 <b>E-MAIL ADDRESS:</b> tdean@crossagency.com <b>FAX (A/C No.):</b> (603) 645-4331															
<b>INSURED</b> Hoyle, Tanner & Assoc., Inc. 150 Dow Street  Manchester NH 03101		<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: Hartford Fire Ins Co</td> <td>19682</td> </tr> <tr> <td>INSURER B: Hartford Casualty Ins Co</td> <td>29424</td> </tr> <tr> <td>INSURER C: Twin City Fire Ins Co</td> <td>29459</td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Hartford Fire Ins Co	19682	INSURER B: Hartford Casualty Ins Co	29424	INSURER C: Twin City Fire Ins Co	29459	INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #																
INSURER A: Hartford Fire Ins Co	19682																
INSURER B: Hartford Casualty Ins Co	29424																
INSURER C: Twin City Fire Ins Co	29459																
INSURER D:																	
INSURER E:																	
INSURER F:																	

**COVERAGES** CERTIFICATE NUMBER: 14-15 All lines 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 SUBR INSR   WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		04UUNUX6485	10/1/2014	10/1/2015	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 10,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC					GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COM/OP AGG \$ 2,000,000
						\$
A	AUTOMOBILE LIABILITY		04UUNUX6485	10/1/2014	10/1/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS				BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/>				BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR		04XHUIP9300	10/1/2014	10/1/2015	EACH OCCURRENCE \$ 10,000,000
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$ 10,000,000
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000					\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		04WBQJ8832 (3a.) CT FL ME MA NH NY RI & VT All officers included	5/1/2014	5/1/2015	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N				E.L. EACH ACCIDENT \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	<input checked="" type="checkbox"/> N/A				E.L. DISEASE - EA EMPLOYEE \$ 500,000
						E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Project: Install Wildlife Fence-Phase 2 Concord Airport; Project # 046319. New Hampshire Department of Transportation & City of Concord, NH are included as additional insured with respects to the CGL as per written contract.

**CERTIFICATE HOLDER****CANCELLATION**

State of New Hampshire Dept. of Transportation Bureau of Aeronautics 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  Lisa King, CIC/JSC 



# City of Concord, New Hampshire

## ADMINISTRATION

CITY HALL • 41 GREEN STREET • 03301

(603) 225-8570

taspell@onconcord.com

*Handwritten:* 12-17-2010

THOMAS J. ASPELL, JR.  
CITY MANAGER

November 10, 2010

Carol Niewola, PE, CM  
Senior Aviation Planner  
NHDOT – Bureau of Aeronautics  
7 Hazen Drive  
P. O. Box 483  
Concord, NH 03302-0483

RECEIVED

NOV 30 2010

NH AERONAUTICS

Regarding: Install Wildlife Fence, Phase II  
Concord Municipal Airport - Concord, New Hampshire  
SBG-04-03-2009 Hoyle, Tanner Project No. 046319

Dear Ms. Niewola:

The City of Concord, NH / Concord Municipal Airport requests a "Grant Amendment" for the above referenced project to cover the cost of Construct Change Orders No. 1 and No. 2, as follows:

Original Project Total	\$123,002.00
FAA Share	\$116,852.00
NHDOT	\$ 3,075.00
City of Concord	\$ 3,075.00
Final Project Total	\$123,796.70 <i>ad</i>
FAA Share	\$117,607.00
NHDOT	\$ 3,094.92 <i>ad</i>
City of Concord	\$ 3,094.92 <i>ad</i>

Based on the above, we request an increase in the FAA Share of \$755.00 and an increase in the NHDOT share of \$19.92.

This request represents an approximate .065% increase over the original total project cost.

Please give me a call if you have any questions.

Sincerely,

Thomas J. Aspell, Jr.  
City Manager



*City of Concord*  
*New Hampshire*  
COMMUNITY DEVELOPMENT DEPARTMENT  
ENGINEERING SERVICES DIVISION

City Hall 41 Green St. Concord, NH 03301 Tel: 603-225-8520 Fax: 603-230-3630

*Edward L. Roberge, P.E.*  
*City Engineer*

February 23, 2015

Rita Hunt  
Aviation Planner  
NHDOT/Bureau of Aeronautics  
7 Hazen Drive  
PO Box 483  
Concord, NH 03301-0483

RE: Construct New Fence, Phase II  
SBG-04-03-2009, Change Order #1 & 2

Dear Mrs. Hunt,

Change Orders 1 and 2 for the aforementioned project were justified and subsequently processed for the reasons stated below.

1. Change Order #1 – The fence was realigned during construction around the ravine and outlet structure of a portion of the airports storm drainage system. As a result the final linear foot quantity of fence was exceeded by 28 feet. Total cost = \$569.24.
2. Change Order #2 - This Change Order was to place erosion stone at the base of the fence in areas of the ravine where the ground was uneven and the gap between the ground and bottom of fence exceeded 6 inches. This was based on a time and materials basis and total cost = \$2,139.70.

Due to other cost savings within the project some of this additional cost was paid for by underruns in other unit items, therefore we are only asking for \$755 FAA share and \$19.85 State share.

I have attached copies of both of the approved change orders for your files. Feel free to call me if you have further questions.

Sincerely,

Martha Drukker  
Associate Engineer

Attachments



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



GEORGE N. CAMPBELL, JR.  
COMMISSIONER

JEFF BRILLHART, P.E.  
ASSISTANT COMMISSIONER

October 2, 2009  
Bureau of Aeronautics

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

REQUESTED ACTION

Authorize the Department of Transportation to provide funding to the City of Concord, NH, Vendor Code 177376, for SBG-04-03-2009, to install wildlife perimeter fencing at the Concord Municipal Airport. State and Federal participation in the amount of \$119,927.00 is effective upon Governor and Council approval through October 31, 2013. Federal Funds 97.44% General Funds 2.56%

Funding is available as follows:	FY'10
04-096-096-960030-1789-034-500151 Capital Expense	\$ 119,927.00

EXPLANATION

A Federal Aviation Administration (FAA) State Block Grant has been awarded for \$1,330,729.00, (copy attached) from which \$116,852.00 (or 95% of the project cost) is proposed for this airport development project (SGB-04-03-2009 copy attached) to install wildlife perimeter fencing. The airport is continuously encountering wildlife on the airport property, which poses a threat to safe aircraft operations. The installation of fencing will significantly decrease the amount of wildlife in the vicinity of the runway, therefore decreasing the amount of wildlife incursions with aircraft.

The Department of Transportation proposes to accept the Federal funds for this project as a pass through to the City of Concord in accordance with RSA 422:15. State participation in the amount of \$3,075.00 (2 ½% of this project) is also requested. The City of Concord will participate in the amount of \$3,075.00 (2 ½% of this project).

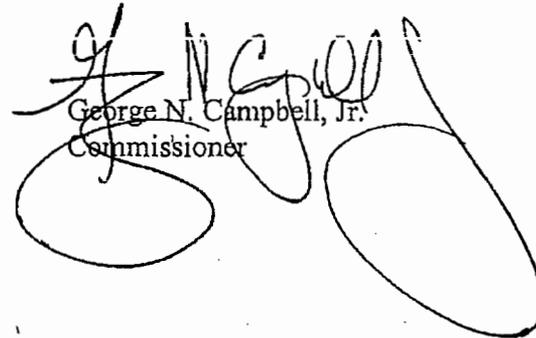
The project cost breakdown is as follows:

Fences Unlimited (Bid Tabulation sheet attached)	\$ 92,602.00
Engineering Design and Construction Inspection Services	\$ 30,000.00
Administration Costs	<u>\$ 400.00</u>
Total cost for this project	\$ 123,002.00

In the event that the Federal Funds become no longer available, General Funds will not be requested to support this program.

Please note that State funds are from the General Fund and have been previously approved in the HB25 Capital Budget.

Sincerely,

  
George N. Campbell, Jr.  
Commissioner

GNC/tls1

Attach: