



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street - Room 120
Concord, New Hampshire 03301

Charles M. Arlinghaus Commissioner (603) 271-3201 Joseph B. Bouchard Assistant Commissioner (603) 271-3204

Catherine A. Keane Deputy Commissioner (603) 271-2059

Division of Public Works
Design and Construction
Project No. 80975– Contract B

May 12, 2021

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 contract with Brookstone Builders, Inc. (VC #155834), Manchester, New Hampshire for a total price not to exceed \$258,571, for the New Hampshire State Prison for Men, Prison Door Replacements, Concord, New Hampshire. This contract is effective upon Governor and Council approval through October 23, 2021 unless extended in accordance with the contract terms. 100% Capital General Funds.
- 2). Further authorize the amount of \$10,000 be approved for payment to the Department of Administrative Services, Division of Public Works Design and Construction (VC# 311152), for engineering services provided, bringing the total to \$268,571. 100% Capital General Funds.

Funding is available in account titled the Department of Corrections:

01-87-87-870030-13280000 19-146:1 IVF Door Replacement

034-500161 - Contract/Building Repair \$ 258,571 034-500161 - Interagency - DPW Fees \$ 10,000 Sub-Total \$ 268,571

GRAND TOTAL \$ 268.571

EXPLANATION

The work of the project includes removal and replacement of seven (7) exterior door assemblies and repair of one sliding gate at the New Hampshire State Prison for Men (NHSP/M) in Concord. The seven doors are located in the A/B Dorms, C/D Dorms, Building "H", Close Custody Unit, Kitchen and the Secure Housing Unit. The sliding gate scheduled for repair is located in Medium Custody South.

The original exterior doors at the NHSP/M have been exposed to the elements for many years. Freeze/thaw cycles, as well as, years of salting throughout the winters have caused many doors to warp and corrode. The warping and corrosion causes the doors to stick in the closed position, making them extremely difficult to open. The proper operation of these doors are essential to ensure the safety and security of both guards and inmates alike. If this work isn't completed and the doors are left in their existing conditions, it's possible for prison staff to be stuck in dangerous situations with violent criminals or for staff and inmates to be trapped during a fire. The State Fire Marshal has also flagged these doors in multiple inspections as life safety issues that need to be addressed.

The low bid was higher than the Department estimate. Due to the uncertainty of performing uninterrupted work within the walls of the State Prison, it's common to receive inflated prices from contractors beyond that of industry standard. This project was bid during the height of the COVID-19 pandemic when many restrictions were placed on active projects within the prison walls. It's suspected that the low bidder inflated his prices to cover any unforeseen circumstances that may arise during construction due to the prison environment and the pandemic. The bid price was negotiated to within the agency's budget by utilizing unit door pricing provided in the bid proposal to delete fourteen (14) fence doors from the scope. These doors are considered a lower priority than the building entry doors. The contractor was also able to acquire alternative pricing from another door manufacturer which decreased the price of seven exterior entry doors. The General Conditions line item was decreased proportionally to the reduced value of the scope of work.

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 Department of Corrections 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: \$ 260,000 Negotiated Amount \$ 258,571 Under Estimate: \$ 1,429

CONTRACT SUPPLEMENTAL INFORMATION SHEET

PROJECT:

DPW Project No. 80975, Contract B - New Hampshire

State Prison Door Replacements, Concord NH

DESCRIPTION:

Work of the Project includes removal and replacement of seven (7) exterior door assemblies and repair of one sliding gate at the New Hampshire State Prison for Men (NHSP/M). The seven doors are located in the A/B Dorms, C/D Dorms, Building "H", Close Custody Unit, Kitchen and the Secure Housing Unit. The sliding gate scheduled for

repair is located in Medium Custody South.

EXPLANATION:

The original exterior doors at the NHSP/M have been exposed to the elements for many years. Freeze/thaw cycles, as well as, years of salting throughout the winters have caused many doors to warp and corrode. The warping and corrosion causes the doors to stick in the closed position, making them extremely difficult to open. The proper operation of these doors are essential to ensure the safety and security of both guards and inmates alike. If this work isn't completed and the doors are left in their existing conditions, it's possible for prison staff to be stuck in dangerous situations with violent criminals or for staff and inmates to be trapped during a fire. The State Fire Marshal has also flagged these doors in multiple inspections as life safety issues that need to be addressed.

OVER ESTIMATE EXPLANATION:

Due to the uncertainty of performing uninterrupted work within the walls of the State Prison, it's common to receive inflated prices from contractors beyond that of industry standard. This project was bid during the height of the COVID-19 pandemic when many restrictions were placed on active projects within the prison walls. It's suspected that the low bidder inflated his prices to cover any unforeseen circumstances that may arise during construction due to the prison environment and the pandemic. The bid price was then negotiated to within the agency's budget by utilizing unit door pricing provided in the bid proposal to delete the fourteen (14)

fence doors from the scope. These doors are considered a lower priority than the building entry doors. The contractor was also able to acquire alternative pricing from another manufacturer which decreased the price of seven exterior entry doors. The General Conditions line item was decreased proportionally to the reduced value of the scope of work.

DEPARTMENT

ESTIMATE: LOW BID: \$260,000.00 \$446,111.00

NEGOTIATED

PRICE:

\$258,571.00



March 22, 2021

Mr. Jonathan Fudala Project Manager Division of Public Works Design and Construction 7 Hazen Drive Room 250 Concord NH 03302

Project: 80975-B NHSP Door Replacements

Subject: Negotiation Letter

Dear Jonathan,

On September 23, 2020, Brookstone Builders was the apparent low bidder for the NHSP Door Replacements project. However, our cost was significantly higher than the budgeted amount.

In a preliminary discussion with you, we stated that the only subcontractor that our estimator had received a quote from was unwilling to only perform a percentage of the work that the State budget would allow.

Subsequently, we searched for other subcontractors in the area that were qualified to perform this specialized work. In order to purchase/install the door hardware, a company had to be approved by the manufacturer. We found an approved subcontractor in Massachusetts but when they contacted the hardware manufacturer for pricing, they were denied as, "Bidding has closed. We will not provide you with a quote, now will we supply you with the material."

We contacted the manufacturer for the hollow metal frames and doors and they contacted a firm from the Buffalo, NY area, and they had gotten pricing, but were not contacted. Because of their previous pricing from the hardware manufacturer, they are "allowed" to purchase/install the door hardware.

The attached spreadsheet shows a cost breakdown of each line item as it was bid, and what the current pricing is. In order to accomplish a portion of the work, after discussions with NHSP personnel, it was determined that line item 902 - Remove and Replace Yard Fence Doors, would not be included as it is a low priority item for the prison, the doors still function, and they are less of a security issue than line items 901 - Remove and Replace Exterior Entry Doors and 903 - Repair Sliding Gate per Plans and Specifications.

Please let me know if you have any questions.

Thank you.

Respectfully Submitted,

Project Manager, Brookstone Builders, Inc.

Construction Managers - Design/Builders - Commercial/Industrial General Contractors 600 Harvey Road - Manchester, NH 03103

Phone: (603) 641-9455 - Fax: (603) 641-9477

www.brookbuild.com

NHSP Door Replacements 80975-B Negotiated Price Comparison .

3/22/2021

Brookstone Builders

			As Bid		,	3/1/2021	
	Description	Quantity	Unit Cost	Total	Quantity	Unit Cost	Total
Line Item		7	\$ 23,504.00	\$164,528.00	. 7	\$21,073.94	\$147,517.58
901	Remove and Replace Exterior Entry Doors	14-	\$ 10,398.00	\$145,572.00		n/a	п/а
902	Remove and Replace Yard Fence Doors	14	<u> </u>			\$13,998.11	\$ 13,998.11
903	Repair Sliding Gate per Plans & Specification	1.	\$ 3,800.00	\$ 3,800.00			\$ 92,055.31
904	General Conditions	1,	\$127,211.00			\$92,055.31	
905	Allowance for Unforseen Conditions	i	\$ 5,000.00	\$ 5,000.00	1	\$ 5,000.00	\$ 5,000.00
703	TOTAL	\$		446,111.00	\$		258,571.00

ABC Bid Data

CONCORD 80975B NON-FEDERAL

	116	

CONCORD

STATE PROJECT NUMBER: 809758

FED. PROJECT NUMBER:

NON-FEDERAL

DATE BIDS OPEN: SCOPE OF WORK: September 30, 2020, NHSP DOOR REPLACEMENTS

COMPLETION DATE:

October 23, 2021

LOCATION:

Merrimack

Awarded To:

Amount:

Award Date:

\$0.00

Certified by:

Summary of Bidders

Contractor	Bid Amount	Rank
BROOKSTONE BUILDERS, INC. 600 Harvey Road, MANCHESTER NH 03103-3320 DFIGNAL FLUT # 901 \$ 164,528. FLUT # 901 \$ 164,528.	\$446,111.00	· A
# 902 \$ 145,5 - \ \$ 13,998,11 # 903 \$ 3,800 - \ \$ 92,055.31		
# 904 \$ 127,2(1) - \$ 5,000 - BUREAU (ii PUBLIC) # 905 \$ 5,000 - \$ 127,2(1) Hold to obtain the Brown Case Case Case Case Case Case Case Case	exstone Bides, luc	
Total Bose \$ 446,11.	021	

ABC Bid Data

CONCORD 80976B NON-FEDERAL

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901	REMOVE AND REPLACE EXTERIOR ENTRY DOORS	Ü .	7.00	\$13,500.00	\$94,500.00	\$23,504.00	\$164,528.00	
902	REMOVE AND REPLACE YARD FENCE DOORS	U	14,00	\$9,000.00	\$125,000,00	\$10,398.00	\$145,572.00	 <u> </u>
903	REPAIR SLIDING GATE PER PLANS AND SPECIFICATIONS	U.	1,00	\$9,000.00	\$9,000.00	\$3 800.00	\$3 600 00	
904	GENERAL CONDITIONS ASSOCIATED WITH CONSTRUCTION	U	1,00	\$25,500.00	\$25,500,00	\$127,211.00	\$127,211,00	<u> </u>
905	ALLOWANCE FOR UNFORESEEN CONDITIONS	\$	6,000.00	\$1.00	\$5,000.00	\$1,00	\$5,000.00	

Totals:	\$280,000,00	\$446,111.00	
Alt. Totals:			
Totals:	\$280,000.00	\$446,111.00	



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 4/12/2021

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(les) 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).

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PRO	OUCER			CONTACT Renee Skillings						
TH	B ROWLEY AGENCY INC.			PHONE (603) 224-2562 FAX (AAC, No. Ext): (603) 224-8012						
45	Constitution Avenue			E-MAIL ACORESS: rskillings@rowleyagency.com						
₽.	D. Box 511				INS	URER(8) AFFOR	RDING COVERAGE		NAIC #	
Co	ncord NH 0330	-0511	l	INSURE			of Wash. DC		21784	
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Br	ookstone Builders Inc.			INSURE					1	
60	Harvey Road			INSURE					 	
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							PERSONAL 4 ADV INJURY	\$	1,000,000	
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	OTHER:							\$		
	AUTOMOBILE LIABILITY		,				COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000	
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A	(Mandatory in NH)	"	WPA5071226-18	ı	1/1/2021	1/1/2022	E.L. DISEASE - EA EMPLOYEE	\$	1,000,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	8	1,000,000	
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	Room 250 Concord, NH 03301			Renee Skillings/RLS Renee Skillings, CRIS						

COMMENTS/REMARKS

POLLUTION/PROFESSIONAL LIABILITY

Carrier: C

POLICY AGGREGATE: \$2,000,000

EACH POLLUTION CONDITION: \$1,000,000

Deductible: \$10,000

PROFESSIONAL LIABILITY: \$1,000,000 (Claims Made - 10/1/2015 Retro Date)

Deductible: \$10,000

OFREMARK

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CERTIFICATE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)

4/12/2021

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

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		nstitution			(A/C. No. Ext):	PHONE (AC, No. Ext): (603) 224-2562 FAX (A/C, No): (603) 224-8012								
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Co	nco	rd	. ИН	03302-0511	PRODUCER CUSTOMER ID:	00006540								
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DOYYYY) 4/12/2021

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.

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_	DUCER		•		CONTACT Rense Skillings							
THE ROWLEY AGENCY INC.						PHONE (603) 224 - 2562 FAX (A/C, No): (603) 224 - 8012						
45	Constitution Avenue				E-MAIL ADORESS: rskillings@rowleyagency.com							
₽.0). Box 511				7		-	RDING COVERAGE		NAIC #		
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	X OWNERS & CONTRACTORS			OCP04122021		4/12/2021	4/12/2022	MED EXP (Any one person)	3			
	PROTECTIVE LIABILITY							PERSONAL & ADV INJURY	s	·		
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	WORKERS COMPENSATION AND EMPLOYERS LIABILITY				I			PER OTH- STATUTE ER				
	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A				-		E.L. EACH ACCIDENT	5			
	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	1417						E.L. DISEASE - EA EMPLOYEE	\$			
	If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - POLICY LIMIT	\$			
	·											
DESC NH	RIPTION OF OPERATIONS / LOCATIONS / VEHICLE: State Prison Door Replacement	3 (ACC)	RD 101	, Additional Remarks Schedule, mi Contract B	ny be ettec	hed If more spac	e is required)					
CEF	TIFICATE HOLDER				CANC	ELLATION		*				
	State of New Hampshire c/o Dept. of Administrat 7 Hazen Drive, Room 250 Concord, NH 03301	ive	Sei		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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