



**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION**



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**VICTORIA F. SHEEHAN
COMMISSIONER**

**WILLIAM CASS, P.E.
ASSISTANT COMMISSIONER**

Bureau of Bridge Design
April 26, 2016

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

REQUESTED ACTION

The Department of Transportation requests this item be placed on the Consent Calendar.

Authorize the Department of Transportation to amend PO #4003691, with GM2 Associates, Inc., Concord, NH, Vendor #163283, for the preliminary design for the replacement of the Red List bridge carrying US Route 4 over Bunker Creek in the Town of Durham, by extending the completion date from July 31, 2016 to January 31, 2017, effective upon Governor and Council approval. The original Agreement was approved by Governor and Council on July 10, 2013, Item #119. Time extension only, no new funding.

EXPLANATION

The purpose of this professional engineering design and environmental consultant services agreement is to prepare preliminary design, environmental documents, plans to progress through the permitting process, and estimates of quantities and costs for the replacement of a single span concrete slab bridge, which carries US Route 4 over Bunker Creek in the Town of Durham. This bridge is on the State's Red List with a 2015 priority number of 8. The replacement structure is anticipated to accommodate 2-lanes of traffic (one lane in each direction) with appropriate shoulders. Any environmental permitting required will be identified and the necessary documentation required to comply with the National Environmental Policy Act (NEPA) will be provided by the consultant. The consultant will also assist the Department in the public coordination effort with the town and users of the bridge. This project is currently included in the State's Ten-Year Transportation Improvement Plan (Durham 16236).

This amendment to the Agreement is to extend the contract's original completion date to allow the consultant additional time to address the alternative for a short term road closure in place of a diversion alternative. In order to fully evaluate the constructability of a short term closure, the consultant is required to conduct further evaluation of geotechnical site conditions (soft soils and ledge lines) and prefabricated bridge components (substructure and superstructure). Of the original \$464,496.40 amount for this contract, there is a balance of approximately \$78,800 remaining (100% Federal Funds).

This amended Agreement has been approved by the Attorney General as to form and execution. Copies of the fully-executed amended Agreement are on file at the Secretary of State's Office and the Department of Administrative Services, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

It is respectfully requested that authority be given to amend this Agreement for consulting services as outlined above.

Sincerely,

Victoria F. Sheehan
Commissioner

AGREEMENT AMENDMENT

DURHAM, X-A001(202), 16236 (Part A)

GM2 ASSOCIATES, INC.

IN WITNESS WHEREOF the parties hereto have executed this amended AGREEMENT on the day and year first above written.

Consultant

WITNESS TO THE CONSULTANT

By: *Harjain*
Finance Manager
Dated: 4-25-16

CONSULTANT

By: *Madan M. Gupta*
President (Title)
Dated: 4/25/16

Department of Transportation

WITNESS TO THE STATE OF NEW HAMPSHIRE

By: *Michelle Brown*
Dated: 5/23/16

THE STATE OF NEW HAMPSHIRE

By: *For [Signature]*
DOT COMMISSIONER
Dated: 5/23/16

Attorney General

This is to certify that the above amended AGREEMENT has been reviewed by this office and is approved as to form and execution.

Dated: 6/1/16 By: *Dianne M. [Signature]*
Assistant Attorney General

Secretary of State

This is to certify that the GOVERNOR AND COUNCIL on _____ approved this amended AGREEMENT.

Dated: _____ Attest:
By: _____
Secretary of State



CORPORATE RESOLUTION

I, Manish K.. Gupta, do hereby certify that I am the Secretary of the GM2 Associates, Inc. having its corporate location at 115 Glastonbury Blvd, Glastonbury, CT 06033 organized and existing under the laws of the State of Connecticut, that I am keeper of the corporate records and seal. That the following is true and correct copy of resolutions duly adopted and ratified by the Board of Directors of the Corporation on January 12, 2016 in accordance with the constituent charter of the GM2 Associates, Inc.; and the same has not in any way been modified, repealed or rescinded, but is in full force and effect.

RESOLVED, that Madan M. Gupta of GM2 Associates, Inc. be and hereby is authorized to execute on behalf of the GM2 Associates, Inc.

BE IT FURTHER KNOWN that Madan M. Gupta was elected President and his term of office began on 3-10-1998 and will continue until resolved otherwise. As the President, Madan M. Gupta serves as the Chief Executive Officer for GM2 Associates, Inc. and is duly authorized to enter into agreement and sign contract for NHDOT Project 'Replacement of the Redlisted Bridge No. 145/116 on behalf of the GM2 Associates, Inc.

Dated at Glastonbury, Connecticut this 25th day of April, 2016

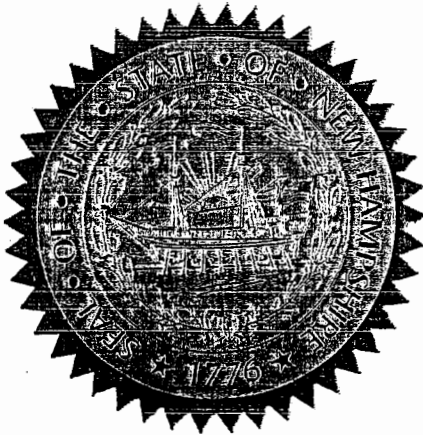
A handwritten signature in black ink, appearing to read "Manish K. Gupta", with a long horizontal flourish extending to the right.

Manish K. Gupta
Secretary

State of New Hampshire Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that GM2 ASSOCIATES, INC. a(n) Connecticut corporation, is authorized to transact business in New Hampshire and qualified on May 4, 2000. I further certify that all fees and annual reports required by the Secretary of State's office have been received.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 2nd day of May, A.D. 2016

A handwritten signature in cursive script, appearing to read "Wm Gardner".

William M. Gardner
Secretary of State



GM2ASSO-01 BMICHAUD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/4/2016

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 Camilleri & Clarke Associates an Affiliate of Smith Brothers 68 National Drive, Suite 2 Glastonbury, CT 06033	CONTACT NAME: Suelyn Hurley	
	PHONE (A/C, No, Ext): (860) 652-3235 FAX (A/C, No): (860) 652-3236 E-MAIL ADDRESS: GeneralMailbox@SmithBrothersUSA.com	
INSURED GM2 Associates, Inc. 115 Glastonbury Blvd. Glastonbury, CT 06033	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Hartford Underwriters Ins. Co.	30104
	INSURER B: Sentinel Insurance Company	11000
	INSURER C: Hartford Casualty Ins. Co.	29424
	INSURER D: Hartford Ins Group - DBC	00914
	INSURER E: Travelers Casualty and Surety	31194
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	ADDL SUBR INSD VWD	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 Contractual <input checked="" type="checkbox"/> Valuable Papers GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X X	02UUNHX5582	01/01/2016	01/01/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Valuable Papers \$ 400,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	X	02UUN HX5582	01/01/2016	01/01/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTIONS 10,000		02XHUX4273	01/01/2016	01/01/2017	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	02WEEG8589	01/01/2016	01/01/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	Professional Liab.	X	106428813	01/01/2016	01/01/2017	Each Claim 3,000,000
E	Ded: \$40,000	X	106428813	01/01/2016	01/01/2017	Aggregate 5,000,000

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

FOR PROFESSIONAL LIABILITY COVERAGE, THE AGGREGATE LIMIT IS THE TOTAL INSURANCE AVAILABLE FOR CLAIMS PRESENTED WITHIN THE POLICY PERIOD FOR ALL OPERATIONS OF THE INSURED. THIS LIMIT WILL BE REDUCED BY PAYMENTS OF CLAIMS AND EXPENSES. THIS INSURANCE IS NOT FOR A SPECIFIC PROJECT.

RE: DURHAM 16236x-A001 (202) PART A. THE STATE OF NH DOT, SHALL BE NAMED AS ADDITIONAL INSURED WITH RESPECT TO GENERAL LIABILITY PER POLICY FORMS. COVERAGE IS PRIMARY AND NON-CONTRIBUTORY PER POLICY FORMS. WAIVER OF SUBROGATION APPLIES IN FAVOR OF ADDITIONAL INSURED PER POLICY FORMS. 30 DAYS NOTICE OF CANCELLATION EXCEPT FOR NON-PAYMENT OF PREMIUM, ONLY 10 DAYS NOTICE OF CANCELLATION SHALL BE GIVEN.

CERTIFICATE HOLDER

CANCELLATION

The State of NH
Department of Transportation
Attn: Mark Richardson
7 Hazen Drive
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

Kindel S. Connolly

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THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

Bureau of Bridge Design
May 10, 2013

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

REQUESTED ACTION

Authorize the Department of Transportation to enter into an Agreement with GM2 Associates, Inc., Concord, NH, Vendor #163283, for a total amount not to exceed of \$464,496.40, for the preliminary design for the replacement of the Red List bridge carrying US Route 4 over Bunker Creek in the Town of Durham, effective upon Governor and Council approval, through July 31, 2016. 100% Federal Funds.

Funding is contingent upon the availability and continued appropriation of funds in FY 2014; as follows:

04-96-96-963515-3054	<u>FY 2014</u>
Consolidated Federal Aid	
046-500463 Eng Consultants Non-Benefit	\$464,496.40

EXPLANATION

The Department requires professional engineering design and environmental consultant services to prepare preliminary design, environmental documents, plans to progress through the permitting process, and estimates of quantities and costs for the replacement of a single span concrete slabs and stone abutment foundations carrying US Route 4 over Bunker Creek in the Town of Durham. This bridge is on the State's Red List with a 2012 priority number of 30. The replacement structure is anticipated to accommodate 2-lanes of traffic (one lane in each direction) with appropriate shoulders. Any environmental permitting required will be identified and the necessary documentation required to comply with the National Environmental Policy Act (NEPA) will be provided by the consultant. The consultant will also assist the Department in the public coordination effort with the town and users of the bridge. This project is currently included in the State's Ten-Year Transportation Improvement Plan (Durham 16236).

The consultant selection process employed by the Department for this qualifications-based contract 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 "Consultant Selection and Service Agreement Procedures" dated December 1999. The Department's Consultant Selection Committee is a standing committee that meets regularly to administer the process and make determinations. The Committee is comprised of the Assistant Director of Project Development (chair), the Chief Project Manager, the Administrators of the Bureaus of Highway Design, Bridge Design, Environment, and Materials and Research, and the Municipal Highways Engineer.

The consultant selection process for this qualifications-based contract was initiated by a solicitation for consultant services for preliminary engineering design and associated environmental services for the Durham 16236 bridge replacement project. The assignment was listed as a "Project Soliciting for Interest" on the Department's website on June 15, 2012, asking for letters of interest from qualified firms. From the list of firms that submitted letters of interest, the Committee prepared a long and then short list of Consultants on July 19, 2012 for consideration and approval by the Assistant Commissioner. Upon receipt of that approval, three shortlisted firms were notified on July 25, 2012 through a technical "Request For Proposal" (RFP). Committee members individually rated the firms on October 11, 2012 using a written ballot to score each firm 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

the team, previous performance, and overall suitability for the assignment. (A compilation of the completed individual rating ballots and the ranking summary form is attached.) The individual rankings were then totaled to provide an overall ranking of the three firms, and the Committee's ranking was submitted to the Assistant Commissioner for consideration and approval. Upon receipt of that approval, the short listed firms were notified of the results and the highest-ranking firm was asked to submit a fee proposal for negotiations.

The long list of thirteen (13) consultant firms that were considered for this assignment, with the three short-listed firms shown in bold, is as follows:

Consultant Firm

Office Location

CLD Consulting Engineers, Inc.	Manchester, NH
CMA Engineers, Inc.	Portsmouth, NH
Dubois & King, Inc.	Bedford, NH
GM2 Associates, Inc.	Concord, NH
Greenman-Pedersen, Inc.	Portsmouth, NH
Green International Affiliates	Westford, MA
Hoyle, Tanner, & Associates, Inc.	Manchester, NH
Jacobs Engineering Group, Inc.	Manchester, NH
Kleinfelder	Manchester, NH
Maguire Group, Inc.	Portsmouth, NH
Provan & Lorber	Contoocook, NH
Quantum Construction Consultants, Inc.	Concord, NH
Simpson, Gumpertz, & Heger, Inc.	Waltham, MA

The firm of GM2 Associates, Inc. has been recommended for this contract. This firm has a excellent reputation and has demonstrated their capability to perform the necessary engineering and technical services for this assignment. Background information on this firm is attached.

GM2 Associates, Inc. has agreed to furnish the required services for a total amount not to exceed of \$464,496.40. This is a reasonable fee and is commensurate with the complexity of the project and the scope of engineering and technical services to be furnished.

This project funding is 80% Federal funds with 20% State match. Turnpike toll credit is being utilized for New Hampshire's match requirement, effectively using 100% federal funds.

This Agreement has been approved by the Attorney General as to form and execution. The Department has verified that the necessary funds are available. Copies of the fully-executed Agreement are on file at the Secretary of State's Office and the Department of Administrative Services, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

It is respectfully requested that authority be given to enter into an Agreement for consulting services as outlined above.

Sincerely,

Christopher D. Clement, Sr.
Commissioner