MAY 09'18 AM10:53 DAS



THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



William Cass, P.E.

Assistant Commissioner

Bureau of Bridge Design

March 26, 2018

Victoria F. Sheehan Commissioner

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

REQUESTED ACTION

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

Authorize the Department of Transportation to amend PO #4006261, with McFarland-Johnson, Inc., Concord, NH, Vendor #164736, for the final design of the superstructure replacement and widening to address the Red List bridges carrying I-89 NB & SB over the Connecticut River between the City of Lebanon, New Hampshire, and the Town of Hartford, Vermont, by extending the completion date from June 30, 2018 to December 30, 2019, effective upon Governor and Council approval. The original Agreement was approved by Governor and Council on September 16, 2015, Item #25. Time extension only, no new funding.

EXPLANATION

The purpose of this engineering and environmental consultant services Agreement is to prepare final design, environmental documents, and estimates of quantities and costs to rehabilitate (superstructure replacement and substructure rehabilitation) and widen the two bridges (Br. No. 044/104 and 044/103) carrying I-89 NB & SB over Connecticut River between the City of Lebanon, NH, and the Town of Hartford, VT. These bridges are on the State's Red List and are #2 & #3 on the 2017 State Priority Red List. Constructed in 1966, these 6-span, 846-foot long, steel girder bridges have concrete decks and an existing roadway width of 30 feet each (2-12-foot lanes and 3-foot shoulder). The proposed work will include a design that will accommodate 3-lanes of traffic in each direction with appropriate shoulders. This project is currently included in the State's Ten-Year Transportation Improvement Plan (Lebanon, NH – Hartford, VT 16148).

This amendment to the Agreement (September 16, 2015, Item #25) is to extend the contract's completion date to allow the consultant to complete the final design and contract plans and to be under agreement when the project advertises in August of 2019.

Funding for this project is shared 76% by the New Hampshire Department of Transportation and 24% by the Vermont Agency of Transportation. The New Hampshire share of this contract's 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.

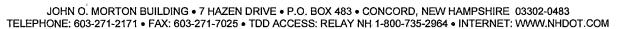
This amended Agreement has been approved by the Attorney General as to form and execution. Copies of the fullyexecuted amended Agreement are on file at the Secretary of State's Office and the Department of Administrative Services, and subsequent to Governor and Council approval will be on file at the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

Attachments







THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



WILLIAM CASS, P.E. ASSISTANT COMMISSIONER

> Bureau of Bridge Design August 11, 2015

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 McFarland-Johnson, Inc., (Vendor 164736) of Concord, NH, for a total amount not to exceed of \$1,501,135.54, for the final design of the superstructure replacement and widening to address the Red List bridges carrying I-89 NB & SB over the Connecticut River between the City of Lebanon, New Hampshire, and the Town of Hartford, Vermont, effective upon Governor and Council approval, through June 30, 2018. 76% Federal Funds (NH's share) and 24% Other (Vermont's share) Funds.

Funds to support this request are anticipated to be available in State FY 2016, State FY2017, and State FY 2018 upon the availability and State continued appropriation of funds in the future operating budget, with the ability to adjust encumbrances between Fiscal Years through the Budget Office, if needed and justified:

04-96-96-963515-3054 Consolidated Federal Aid	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	
046-500463 Eng Consultants Non-Benefit	\$380,000.00	\$380,000.00	\$380,863.01	
Vermont share to be reimbursed	\$120,000.00	\$120,000.00	\$120,272.53	

EXPLANATION

The Department requires professional engineering design and environmental consultant services to prepare final design, environmental documents, and estimates of quantities and costs to rehabilitate (superstructure replacement and substructure rehabilitation) and widen the two bridges (Br. No. 044/104 and 044/103) carrying I-89 NB & SB over Connecticut River between the City of Lebanon, NH, and the Town of Hartford, VT. These bridges are on the State's Red List and are #21 & #22 on the 2015 Bridge Priority List. Constructed in 1966, these 6-span, 846-foot long, steel girder bridges have concrete decks and an existing roadway width of 30 feet each (2-12-foot lanes and 3-foot shoulder). The proposed work will include a design that will accommodate 3-lanes of traffic in each direction with appropriate shoulders. Development of the preliminary engineering for this project is being performed in two phases (Parts "A" and "B"). This contract is only for the second phase (Part "B"). This project is currently included in the State's Ten-Year Transportation Improvement Plan (Lebanon, NH – Hartford, VT 16148).

On October 17, 2012, the Governor and Council authorized the Part "A" Agreement (Item #88, copy attached) to prepare preliminary design, environmental documents, and preliminary plans to develop the project through the environmental permitting process, and to prepare estimates of quantities for the alternative selected to address these Red List bridges. The Part "A" preliminary design and environmental documentation process incorporated context sensitive solutions and techniques, which were presented and discussed at meetings with public officials and citizens of the Lebanon, NH, and Hartford, VT area.

In Part "A" of the Agreement, the Department reserved the right to either negotiate a scope of work and fee for the Part "B" final design services or to terminate the contract. Since the firm of McFarland-Johnson, Inc., satisfactorily completed the preliminary plans and environmental documentation efforts in Part "A" for this project, the Department proposes to continue with this firm to perform the final design. Part "B" will develop final contract plans and documents for the selected alternative for addressing these Red List bridges.

The Consultant Selection Committee made the recommendation to continue with the consultant that was selected for Part "A" to perform the Part "B" tasks for final design engineering and associated environmental services for this project. A memo dated January 28, 2015 was prepared requesting consideration and approval by the Assistant Commissioner for proceeding with McFarland-Johnson, Inc., for the Part "B" services. Upon receipt of that approval, McFarland-Johnson, Inc., was asked to submit a scope of work and fee proposal to initiate negotiations.

McFarland-Johnson, Inc., has agreed to furnish the required services for a total amount not to exceed of \$1,501,135.54. 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.

Funding for this project is shared 76% by the New Hampshire Department of Transportation and 24% by the Vermont Agency of Transportation. New Hampshire's share of funding for this contract is 80% Federal funds with 20% State match. Turnpike toll credits are being utilized for New Hampshire's funding 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,

William Cass, P.E. Assistant Commissioner



THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



VICTORIA F. SHEEHAN COMMISSIONER

> LEBANON, NH – HARTFORD, VT A001(154) 16148 (Final Design) (Agreement Dated June 29, 2015)

WILLIAM J. CASS, P.E. ASSISTANT COMMISSIONER

Bureau of Bridge Design Room 230 (CMF) Tel. (603) 271-2731 Fax (603) 271-2759

March 15, 2018

Mr. Gene McCarthy, P.E. McFarland-Johnson, Inc. 53 Regional Drive Concord, NH 03301

Dear Mr. McCarthy:

This letter amends Article I – Description of Professional Services to be Rendered in the abovereferenced Agreement.

Article I, Section K – Date of Completion, page 19. The original date of completion for the professional services is being amended from June 30, 2018 to December 31, 2019.

This amendment becomes effective upon approval by the Governor and Council.

Sincerely,

L. Robert Landry, P.E. Administrator, Bureau of Bridge Design

Approved: Peter E. Stamnas, P.E. Director of Project Development

We concur in the above Amendment.

MCFARLA ND-JØHNSON, INC. By: JAMES M. FESTA

Title: <u>Senior Vice President/COO</u>

LRL/jca attachments

s:\bridge-design\projects\active\lebanon\16148\agreements\time extension part b\mj 03-14-2018 amendment time extension.docx

AGREEMENT AMENDMENT

LEBANON, NH-HARTFORD, VT, A001(154), 16148

MCFARLAND-JOHNSON, 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		CONSULTANT
By: Sinda M. Moneha	By:	James M. Festa
Linda M. Monahan		Senior Vice President/COO (Title)
Dated: 3/19/18		Dated: 3/19/18
Department of Transportation		
WITNESS TO THE STATE OF NEW HAMPSHIRE By: Muchelle Motion	By:	THE STATE OF NEW HAMPSHIRE
		DIRECTOR OF PLUTLET DEVELOPMENT
		FOR DOT COMMISSIONER
Dated:4/12/18		Dated: 4/12/18

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: 512/18

By: <u>AMM B Yveensta</u> 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

CERTIFICATE OF SECRETARY

OF

McFARLAND-JOHNSON, INC. ATTESTING TO THE ADOPTION OF BOARD RESOLUTION

I, Frank J. Greco, Secretary of McFarland-Johnson, Inc., certify that on March 15, 2018, at a Meeting of the Board of Directors of McFarland-Johnson, Inc., the Directors, acting unanimously, adopted the following resolution:

RESOLVED, that the following elected Officers and employees of the Corporation are authorized to sign contracts in the name of, and on behalf of, the Corporation, in accordance with corporate policies and rules:

<u>Name</u>

Office

Richard J. Brauer	-	President/CEO – Engineering
James M. Festa	-	Sr. Vice President/COO/Chief Engineer/
		Binghamton Regional Office Manager
Frank J. Greco	-	Sr. Vice President/CFO/Secretary/Treasurer
Chad G. Nixon	-	Sr. Vice President/BDO
Michael D. Long	-	Concord Regional Office Manager

I certify that as a result of the action of the Board of Directors, James M. Festa, Senior Vice President/COO/Chief Engineer/Binghamton Regional Office Manager of McFarland-Johnson, Inc., is fully authorized to enter into any contracts, including Lebanon, NH – Hartford, VT, A001(154), 16148, Final Design, in the name of and on behalf of the Corporation for the rendering of services by the Corporation.

Frank J. Steco, Secretary

[CORPORATE SEAL]

SUBSCRIBED AND SWORN TO this //day of March 2018

Notary Public

UNDA M. MONAHAN Notery Fublic, State of New York No. 4959747 Rastilling in Prome County My commission expires

L:[LOO/MISC/FJG]002A

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 MCFARLAND-JOHNSON, INC. is a New York Profit Corporation registered to transact business in New Hampshire on February 14, 1969. I further certify that all fees and documents required by the Secretary of State's office have been received and is in good standing as far as this office is concerned.

Business ID: 2302 Certificate Number: 0004072206



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 April A.D. 2018.

William M. Gardner Secretary of State



MCFAJOH-01

KLISHM

DATE (MM/DD/YYYY)	
3/19/2018	

THIS CERTIFICATE IS ISSUED AS CERTIFICATE DOES NOT AFFIRMA BELOW. THIS CERTIFICATE OF IN REPRESENTATIVE OR PRODUCER, A	TIVEL SUR/	LY OR NEGATIVELY AMEND ANCE DOES NOT CONSTITU	, EXTEND OR AL	TER THE CO	OVERAGE AFFORDED	BY TH	IE POLICIES	
IMPORTANT: If the certificate hold If SUBROGATION IS WAIVED, subject this certificate does not confer rights	ect to	o the terms and conditions of	the policy, certain	policies may				
PRODUCER	to the		CONTACT Renee D				7	
Robert J Hanafin a division of IOA			PHONE (A/C, No, Ext): (607)		5213 FAX	(607)	754-9797	
31 Lewis Street			E-MAIL ADDRESS: renee.da			(007)	154-5151	
Suite 201 Binghamton, NY 13901								
					RDING COVERAGE		NAIC #	
		· · · · · · · · ·			rance Co of Hartford		20478	
INSURED McFarland Johnson, Inc.			INSURER B : Contin			<u> </u>	35289	
49 Court Street			INSURER C : American Casualty Company of Reading, Pennsylvania 20427					
PO Box 1980	_		INSURER D :	· · · · · · · · · · · · · · · · · · ·			\	
Binghamton, NY 13902-198	U		INSURER E :	-			· · · · · · · · · · · · · · · · · · ·	
\			INSURER F :					
		CATE NUMBER:			REVISION NUMBER:	·		
THIS IS TO CERTIFY THAT THE POLICI INDICATED. NOTWITHSTANDING ANY I CERTIFICATE MAY BE ISSUED OR MAY EXCLUSIONS AND CONDITIONS OF SUCH	PER POLI	IREMENT, TERM OR CONDITIO RTAIN, THE INSURANCE AFFORI ICIES. LIMITS SHOWN MAY HAVE	N OF ANY CONTRA DED BY THE POLIC BEEN REDUCED BY	CT OR OTHER IES DESCRIB PAID CLAIMS	R DOCUMENT WITH RESPE BED HEREIN IS SUBJECT 1	ECT TO	WHICH THIS	
INSR LTR TYPE OF INSURANCE	ADDL		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	s		
A X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR	x	6056803227		01/01/2019	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	1,000,000 300,000	
					MED EXP (Any one person)	\$	10,000	
					PERSONAL & ADV INJURY	\$	1,000,000	
GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE	\$	2,000,000	
POLICY X PRO- JECT LOC					PRODUCTS - COMP/OP AGG	\$	2,000,000	
OTHER:						s		
AUTOMOBILE LIABILITY	1				COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000	
, X ANY AUTO	x	6056803213	01/01/2018	01/01/2019	BODILY INJURY (Per person)	\$		
OWNED AUTOS ONLY SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$		
X HIRED AUTOS ONLY X AUTOS ONLY					PROPERTY DAMAGE (Per accident)	s		
						\$		
B X UMBRELLA LIAB X OCCUR					EACH OCCURRENCE	s	10,000,000	
EXCESS LIAB CLAIMS-MADE		6056803244	01/01/2018	01/01/2019	AGGREGATE	\$	10,000,000	
DED X RETENTIONS 10,000	1					s		
C WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					X PER OTH- STATUTE ER			
		6056803230	01/01/2018	01/01/2019	E.L. EACH ACCIDENT	5	500,000	
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N/A				E.L. DISEASE - EA EMPLOYEE		500,000	
If yes, describe under DESCRIPTION OF OPERATIONS below	ľ				E.L. DISEASE - POLICY LIMIT		500,000	
A Val Pprs & Records		6056803227	01/01/2018	01/01/2019	Blanket Limit	•	150,000	
	, , , , , ,							
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHIC Project: Lebanon, NH – Hartford, VT, A001	LES (A 154).	ACORD 101, Additional Remarks Schedul 16148, Final Design	ie, may be attached if moi	e space is requir	reaj			
State of New Hampshire Department of Tra noncontributory basis including completed	nspor	rtation and all other parties as re rations in regard to general liabi	equired by written c	ontract are at t numbers Cl	ditional insured on a prin	naryaı ⁄in rə	nd nard to auto	
per endorsement number SCA 23 500B31.	oper	auono in regara to general nabi	nty per endorsemen	t numbers of		, in re	gard to auto	
}								
)		
CERTIFICATE HOLDER		1	CANCELLATION					
				N DATE TH	ESCRIBED POLICIES BE CA EREOF, NOTICE WILL I SY PROVISIONS.			
I					·····			
New Hampshire Department	of Tr	ransportation	AUTHORIZED REPRESE		A / /			
P. O. Box 483			~Dehonah	KA	lanchard			
ACORD 25 (2016/03)			@10		ORD CORPORATION.	Allric	hts reserved	

The ACORD name and logo are registered marks of ACORD

ACORD	

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/19/2018

4

:

© 1988-2014 ACORD CORPORATION. All rights reserved.

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).										
	DUCER				CONTA					
	ner & Esler Agency, Inc.				NAME:					
					(A/C, No, Ext): (A/C, No):					
PO	PO Box 60									
									NAIC #	
	dell, NJ 07649				INSURE	ERA: Atlant	ic Special	ty Insurance		
INSU	RED arland-Johnson, Inc.				INSUR	ER B :	·			
	: Frank J. Greco				INSURER C :					
	Court Street, Metrocenter				INSURE	ERD:				
PO	Box 1980				INSUR	ER E :				
Bin	ghamton, NY 13902-1980				INSURE	ER F :				
		_		ENUMBER: 52310347			. <u> </u>	REVISION NUMBER:		
IN CE	IIS IS TO CERTIFY THAT THE POLICIES DICATED. NOTWITHSTANDING ANY RI RTIFICATE MAY BE ISSUED OR MAY ICLUSIONS AND CONDITIONS OF SUCH	equir Pert Polic	REME AIN, CIES.	NT, TERM OR CONDITION THE INSURANCE AFFORD LIMITS SHOWN MAY HAVE	OF AN ED BY	Y CONTRACT THE POLICIE REDUCED BY	OR OTHER S DESCRIBE PAID CLAIMS	DOCUMENT WITH RESPECT TO D HEREIN IS SUBJECT TO ALL	WHICH THIS	
INSR LTR	TYPE OF INSURANCE	ADDL	SUBR	POLICY NUMBER		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
	COMMERCIAL GENERAL LIABILITY					-		EACH OCCURRENCE \$		
	CLAIMS-MADE OCCUR							DAMAGE TO RENTED PREMISES (Ea occurrence) \$		
								MED EXP (Any one person) \$		
						i		PERSONAL & ADV INJURY \$		
	GEN'L AGGREGATE LIMIT APPLIES PER:							GENERAL AGGREGATE \$		
	POLICY PRO- JECT LOC	1						PRODUCTS - COMP/OP AGG \$		
	OTHER:							\$		
	AUTOMOBILE LIABILITY							COMBINED SINGLE LIMIT \$	1	
	ANY AUTO	· ·						BODILY INJURY (Per person) \$	ì	
	ALL OWNED SCHEDULED							BODILY INJURY (Per accident) \$		
	AUTOS AUTOS NON-OWNED HIRED AUTOS AUTOS		•					PROPERTY DAMAGE \$		
	HIRED AUTOS							\$		
	UMBRELLA LIAB OCCUR	- 1						EACH OCCURRENCE \$		
	EXCESS LIAB CLAIMS-MADE							AGGREGATE \$		
	()							S S		
	DED RETENTION S							PER OTH- STATUTE ER		
	AND EMPLOYERS' LIABILITY Y/N									
	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A						E.L. EACH ACCIDENT \$		
	(Mandatory in NH)							E.L. DISEASE - EA EMPLOYEE \$		
	DÉSCRIPTION OF OPERATIONS below Professional Liability			DPL-6880-17		06/15/17	06/15/18	E.L. DISEASE - POLICY LIMIT \$ Per Claim 5,000	0,000	
^	rioressionar hiability			FULL PRIOR ACTS		00/13/1/	00,20,20		0,000	
				FULL PRIOR ACTS			-	22 2	-	
1					<u> </u>			Deductible per clm 50,0		
DESC	RIPTION OF OPERATIONS / LOCATIONS / VEHIC	LES (A	CORD	101, Additional Remarks Schedu	ile, may b	e attached if mo	re space is requi	rea) .		
Leba	non, NH ? Hartford, VT, A001	(154)), 1	6148, Final Design						
		,								
CER	TIFICATE HOLDER				CANC	CELLATION				
New Hampshire Department of Transportation					SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.					
	. Box 483				AUTHO	RIZED REPRESE	NTATIVE	······································		
	zen Drive ord, NH 03302-0483							UP S.C.		
conc	1 J		US	SA	partly to the forman					

The ACORD name and logo are registered marks of ACORD