



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

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

Bureau of Bridge Design
 March 26, 2018

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 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

Attachments



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**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:

| | <u>FY 2016</u> | <u>FY 2017</u> | <u>FY 2018</u> |
|--|----------------|----------------|----------------|
| 04-96-96-963515-3054 Consolidated Federal Aid | | | |
| 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.

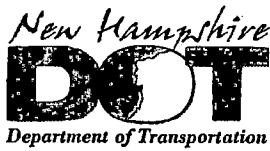
This Agreement has been approved by the Attorney General as to form and execution. The Department has verified that the necessary funds are available. Copies of the fully-executed Agreement are on file at the Secretary of State's Office and the Department of Administrative Services, and subsequent to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

WILLIAM J. CASS, P.E.
ASSISTANT COMMISSIONER

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

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

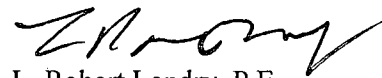
Dear Mr. McCarthy:


This letter amends Article I – Description of Professional Services to be Rendered in the above-referenced 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.

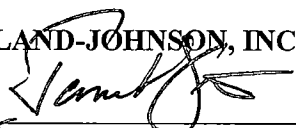
Sincerely,


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.

MCFARLAND-JOHNSON, INC.

By: 
JAMES M. FESTA
Title: Senior Vice President/COO

LRL/jca
attachments

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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

By: Linda M. Monahan

Linda M. Monahan

Dated: 3/19/18

CONSULTANT

By: James M. Festa

James M. Festa
Senior Vice President/COO (Title)

Dated: 3/19/18

Department of Transportation

WITNESS TO THE STATE OF NEW HAMPSHIRE

By: Michelle Dorian

Dated: 4/12/18

THE STATE OF NEW HAMPSHIRE

By: [Signature]

DIRECTOR OF PORT DEVELOPMENT

for DOT COMMISSIONER

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: 5/2/18

By: Alvin B Greenstein

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> | <u>Office</u> |
|-------------------|--|
| 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 |

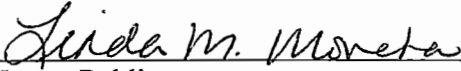
I certify that as a result of the action of the Board of Directors, James M. Festa, Senior Vice President/COO/Chief Engineer/Binghamton Regional Office Manager of McFarland-Johnson, Inc., is fully authorized to enter into any contracts, including Lebanon, NH – Hartford, VT, A001(154), 16148, Final Design,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



Frank J. Greco, Secretary

[CORPORATE SEAL]

SUBSCRIBED AND SWORN TO
this 19th day of March 2018



Notary Public

LINDA M. MONETA
Notary Public, State of New York
No. 495747
Residing in Putnam County
My commission expires 7/2/18

State of New Hampshire

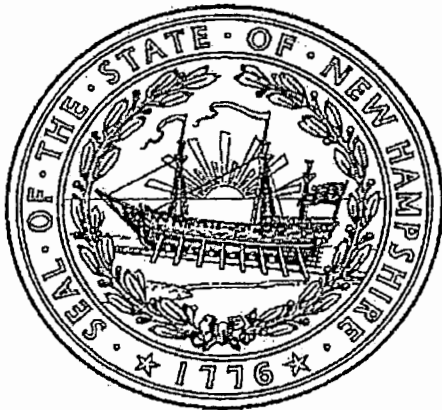
Department of State

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.

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

William M. Gardner
Secretary of State

