

# THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



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 Berlin Airport Authority (Vendor 177362) for SBG-01-03-2010, to acquire snow removal equipment and to construct paved access for the snow removal equipment building at the Berlin Regional Airport. State and Federal participation in the amount of \$5,813.32 is effective upon Governor and Council approval. 95% Federal Funds, 5% General Funds.

Funding is available as follows:

FY 2015

04-96-96-960030-7976 FAA Projects 034-500151 Bonded Expenses

\$5,813.32

### **EXPLANATION**

One Federal Aviation Administration (FAA) State Block Grant has been awarded for \$792,769.00 (3-33-SBGP-11-2011) from which \$5,522.00 (or 95% of the project cost) is proposed to amend this airport development project (SGB-01-03-2010 copy attached) to acquire snow removal equipment and to construct paved access for the snow removal equipment building at the Berlin Regional 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 an excessively steep drainage swale in the vicinity of the new snow removal equipment building. The redesign and development of the swale is necessary to limit erosion that would have been a hazard to the operating equipment. In addition, the airport consultant contract will need to be increased to resolve the snow removal equipment certification required by the Buy American Act. The FAA cannot authorize the use of Federal funds without

certification that the equipment meets the Buy American Act. The consultant needed to work with the vehicle vendor to obtain the manufacturing and assemble location of every component utilized in the construction of the vehicle. This work was not within the original scope of work of the project.

The Department of Transportation accepts the Federal Funds for this project as a pass through to the Berlin Airport Authority in accordance with RSA 422:15. The total federal share of this project including the amendment will increase the FAA share from \$345,732.00 to \$351,254.00, which equates to an increase of \$5,522.00. State participation in the amount of \$291.32 (5 % of this project) is also requested. The total cost of this amendment for this project is \$5,813.32. The original grant (attached) passed Governor and Council on November 17, 2010, Item #208.

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, 2013 195:1 XVI-A 1 Capital Budget.

Sincerely

William Cass, P.E.

**Assistant Commissioner** 

WC/tlsl



# THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



JEFF BRILLHART, P.E. ACTING COMMISSIONER

Page 1 of 3 Pages

SBG-01-03-2010	
 AIP Grant Number	
 15-596-6567	
 DUNS Number	
Berlin Regional Airport	
 Airport/Planning Area	
Milan, New Hampshire	
Location	

# AMENDMENT NO. 1 TO GRANT AGREEMENT PROJECT NO. SBG - 01-03-2010 Berlin Regional Airport Authority, City of Berlin, 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 Berlin Airport Authority, City of Berlin, New Hampshire (hereinafter referred to as the "Sponsor"), accepted by said Sponsor on October 8, 2010, be amended in conformance with the Sponsor's letter dated April 15, 2013 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 \$363,928.00 to \$369,741.32.

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

CTING COMMISSIONER	
	SBG-01-03-2010
	AIP Grant Number
	15-596-6567
	DUNS Number
	Berlin Regional Airport
	Airport/Planning Area
	Milan, New Hampshire
	Location
IN WITNESS WHEREOF, the parties hereto have caused this executed as of the	, 20 <u>/5</u> Such Grant Amendment shall
	STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION
	Jos CV
	(Signature)
	Patrick C. Herlihy
	(Typed Name)
	Director, Division of Aeronautics, Rail & Transit
	(Title)
<b>Attorney General:</b> This is to certify that the above Agreement had form and execution.	s been reviewed by this office, and is approved as to
Dated: 4/30/15	By:  Assistant Attorney General
Secretary of State: This is to certify that the Governor and Council	
Dated:	Attest:
Зу:	
Secretary of State	(Title)



# THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



JEFF BRILLHART, P.E. ACTING COMMISSIONER

Page 3 of 3 Pages

	1 486 5 61 5 1 4865
	SBG-01-03-2010
	AIP Grant Number
<del></del>	15-596-6567
	DUNS Number
	Berlin Regional Airport
	Airport/Planning Area
	Milan, New Hampshire
N	Location
City of Berli	Name of Sponsor)
Signature of Sponsor	's Designated Official Representative)
	Mair Berlin Airport Authority
Two d Name of Same	or's Designated Official Representative)
(Typea Name of Spons	or s Designatea Official Representative)
Title: City of Berlin	Berlin Airport Authority (Title of Sponsor)
CERTIFICATE OF SPONSOR'S ATTOR	
That I have examined the foregoing Amendment to the Grant Agreeme Sponsor relating thereto, and find that the execution thereof by said Spall respects due and proper in accordance with the laws of the State of that, in my opinion, said Amendment to the Grant Agreement constitut Sponsor in accordance with the terms thereof.	onsor has been duly authorized and is in NEW HAMPSHIRE and further
Dated at MEREDITH, NH this 23rd day of Fe	Signature of Sponsor's Attorney)

**CERTIFICATE OF VOTE** 

I, Debra Patrick, do hereby certify that I am the City Clerk of the City of Berlin, a municipality in the State

of New Hampshire, County of Coos, in the United States of America.

I do further certify that Paul Grenier is Chair of the Berlin Airport Authority of the municipality and is

duly authorized by the by-laws and laws of the State of New Hampshire to execute and deliver for on

behalf of the municipality any contracts with the State of New Hampshire. This authority was given

during an official meeting of the Berlin City Council on April 5, 2010.

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 Berlin on this 23th day of February, 2015.

Debra A. Patrick, CMC Signature

City Clerk

#### **NOTARY STATEMENT**

As Notary Public and/or Justice of the Peace, registered in the State of New Hampshire, County of Coos upon this date February 23, 2015 appeared before me Susan Tremblay, the above signed officer personally appeared Debra A. Patrick, who acknowledged herself to be the City Clerk of the City of Berlin, New Hampshire and that being authorized to do so, she executed the foregoing instrument for the purposes therein contained, by signing by herself in the name of the City of Berlin, New Hampshire. In witness whereof, I hereunto set my hand and official seal.

Signature of Notary or Justice of the Peace

Noth Ry Furscic
Name of Notary or Justice of the Peace

SEAL

<u>A-28-2019</u>
Date of Expiration of Commission

SUSAN TREMBLAY
Notary Public - New Hampshire
My Commission Expires February 28, 2019

## CERTIFICATE OF INSURANCE

This certificate is given as a matter of information only and confers no rights upon the certificate addressee.

Date: March 17, 2015

This is to certify to:

State of NH Department of Transportation

Room 170, JOM Building

7 Hazen Drive Concord, NH 03302

Coverages

That the following policy has been issued to:

BERLIN MUNICIPAL AIRPORT 800 EAST SIDE RIVER ROAD

MILAN, NH 03588

Policy No. 13000677 issued by one or more member companies of Global Aerospace Pool through Global Aerospace, Inc.

Policy Period: from March 18, 2015 to March 18, 2016

ΑV	IATION	GROUND	OPERATION	IS LIABII	JI Y
				Limits	of Liability

Each Occurrence Limit \$2,000,000
Damage to Premises Rented to You Limit \$50,000

Medical Expense Limit (Any One Person) \$5,000
Personal and Advertising Injury Aggregate Limit \$2,000,000

General Aggregate Limit (Other than

Products-Completed Operations and Hangarkeepers)

Products-Completed Operations Aggregate Limit

Hangarkeepers' Each Accident Limit

Hangarkeepers' Each Aircraft Limit

\$500,000

\$500,000

The WHO IS AN INSURED section of the policy has been amended to include the certificate addressee as an insured, but only with respect to liability for injury, damage or loss to which the insurance afforded by the policy applies caused by the Named Insured's acts or omissions.

Notwithstanding anything set forth in the policy to the contrary, the insurance provided by the policy is extended to apply to liability for bodily injury and property damage assumed by the Named Insured under a written agreement between the Named Insured and the certificate addressee, but to no greater extent than the scope of the insurance afforded by this policy.

The Company agrees to give 30 days notice (10 if cancelled for non-payment of premium) to the certificate addressee in the event the policy is cancelled by the Company.

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. This certificate does not amend, extend or otherwise alter the coverages afforded by the policies described herein. Limits may have been reduced by paid claims.

GLOBAL AEROSPACE, INC.

AGLZ001 July 2009

Page 1 of 1

GLOBAL AEROSPACE

Certificate No. 417933952



## CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/////) 02/13/2015

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).

PRODUCER AON Risk Services Northeast, Inc. Morristown NJ Office 44 Whippany Road, Suite 220 Morristown NJ 07960 USA	CONTACT NAME: PHONE (A/C, No, Ext): (866) 283-7122 FAX (A/C, No.): 800-363-0105 E-MAIL ADDRESS:				
	INSURER(S) AFFORDING COVERAGE	NAIC #			
NSURED  AMEC Foster Wheeler Environment & Infrastructure Inc. 511 Congress Street Portland ME 04101 USA	INSURER A: Zurich American Ins Co	16535			
	INSURER B: ACE American Insurance Company	22667			
	INSURERC: ACE Property & Casualty Insurance Co.	20699			
	INSURER D: American Zurich Ins Co	40142			
	INSURER E:				
	INSURER F:				

COVERAGES	CERTIFICATE NUMBER: 570056812746

#### 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. Limits shown are as requested

	CECOLOTIO AND CONDITIONS OF COOL			. Eliting one within that BEE				vii are as requested
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBF	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	(MM/DD/YYYY)	LIMITS	
В	X COMMERCIAL GENERAL LIABILITY			HDOG24554818	05/01/2014	05/01/2015	EACH OCCURRENCE	\$2,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
					İ	1	MED EXP (Any one person)	\$10,000
						}	PERSONAL & ADV INJURY	\$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$2,000,000
	POLICY X PRO- X LOC						PRODUCTS - COMP/OP AGG	\$2,000,000
	OTHER:							
	AUTOMOBILE LIABILITY			BAP9483148-03	05/01/2014	05/01/2015	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	X ANYAUTO				-		BODILY INJURY ( Per person)	
	ALL OWNED SCHEDULED						BODILY INJURY (Per accident)	
	AUTOS AUTOS Y HIRED AUTOS Y NON-OWNED AUTOS						PROPERTY DAMAGE (Per assident)	
i						1		
С	X UMBRELLA LIAB X OCCUR			XOOG27238671	05/01/2014	05/01/2015	EACH OCCURRENCE	\$5,000,000
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	\$5,000,000
ı	DED X RETENTION \$10,000							
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC350486613	05/01/2014	05/01/2015	X PER STATUTE OTH-	
	ANY PROPRIETOR / PARTNER / EXECUTIVE	N/A					E.L. EACH ACCIDENT	\$1,000,000
	(Mandatory in NH)	N / A					E.L. DISEASE-EA EMPLOYEE	\$1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE-POLICY LIMIT	\$1,000,000
A	Archit&Eng Prof			EOC938357806 SIR applies per policy ter			Professional	\$1,000,000
		l			<u> </u>			
ESC	RIPTION OF OPERATIONS / LOCATIONS / VEHICL	ES (AC	UKD 1	i01. Additional Remarks Schedule, may be	attached if more	space is require	<b>3</b>	

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

RE: Project: Vehicle Maintenance Facility, Project No. 2891501, Estimated Contract Price: \$100,000; Project Start Date: Feb-17-2015; Project Completion Date: Jun-13-2015.
State of New Hampshire Department of Transportation is included as Additional Insured in accordance with the policy provisions of the General Liability policy.

#### CANCELLATION

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

Aon Risk Services Northeast Inc

City of Berlin Attn: Susan Tremblay 168 Main Street Berlin NH 03570 USA

### CANCELLATION - NOTICE TO ADDITIONAL INTERESTS

Named Insured			Endorsement Number
	AMEC USA Ho	ldings, Inc.	30
Policy Symbol HDO	Policy Number G24554818	Policy Period 05/01/2014 to 05/01/2015	Effective Date of Endorsement 05/01/2014
	e of Insurance Compar an Insurance		

## THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This Endorsement modifies insurance provided under the following:

Commercial General Liability Coverage Form Excess Commercial General Liability Policy

In the event that we cancel the policy, we agree to mail to the additional interests set forth in the Schedu	le below
	ys advance
notice if the cancellation is for a legally permissible reason other than nonpayment of premium.	

Ms. Carol Niewola, P.E., C.M.
Senior Aviation Planner
NHDOT, Bureau of Aeronautics
7 Hazen Drive
P.O. Box 483
Concord, New Hampshire 03302-0483

RE: Berlin Regional Airport

Acquisition of Snow Removal Equipment and Construction of Snow

Removal Equipment Storage Building Access

SBG-01-03-2010

GRANT AMENDMENT NO. 1

Dear Ms. Niewola:

With this letter, the City of Berlin is requesting approval to increase the grant amount for the above referenced project from \$363,928.00 to \$369,741.32. The Federal share of the project will increase by \$5,522.00 from \$345,732.00 to \$351,254.25 and the State share of the project will increase by \$291.32 from \$18,196.00 to \$18,487.32.

Construction of the access improvements to the snow removal equipment storage building exceeded the original bid amount by \$1,004.00. The increase is the result of an approved Change Order to make improvements to a drainage swale in the vicinity of the building. As the construction project progressed, it became apparent that the steepness and depth of the swale would create potential erosion issues and its close proximity would be a hazard to operating equipment. Though the construction cost of the Change Order was \$7,644.00, the total cost for the construction project including the Change Order exceeded the original bid amount by \$1,004.00 due to material and quantity adjustments and savings in the original contract.

AMEC's engineering contract for acquisition of the snow removal equipment exceeded the original negotiated amount by \$5,000.00. The increase is the result of the extensive effort required by AMEC to resolve the equipment certification required by the Buy American Act. Without certification, the Federal Aviation Administration would not authorize the use of Federal funds for the purchase of the equipment. The administrative effort required by AMEC to certify the plow carrier vehicle was outside the original scope of work and involved significant coordination with the vehicle supplier to obtain the manufacturing and assembly location of every component utilized in the construction of the vehicle. A Federal waiver to purchase the vehicle was eventually approved.

The City of Berlin did not utilize their entire Sponsor Administrative costs granted for the project resulting in a decrease of \$190.68 from the construction and engineering contract increases discussed in this request.

The following table illustrates the comparison between the original grant amount and the requested grant amendment increase:

	Grant Amount	Actual Costs	Increase/(Decrease)
Sponsor Administration Engineering	\$ 1,025.26 \$ 38,316.74	\$ 834.58 \$ 43,316.74	(\$ 190.68) \$ 5,000.00
Equipment	\$ 277,697.00	\$ 277,697.00	\$ 0.00
Construction with CO1	\$ 46,889.00	\$ 47,893.00	\$ 1,004.00
Total Project:	\$ 363,928.00	\$ 369,741.32	\$ 5,813.32
Federal Share (95%)	\$ 345,732.00	\$ 351,254.00	\$ 5,522.00
State Share (5%)	\$ 18,196.00	\$ 18,487.32	\$ 291.32
Local Share (0%)	\$ 0.00	\$ 0.00	\$ 0.00

Therefore, the City of Berlin is requesting this Grant Amendment to increase the Federal share of the original grant by \$5,522.00 and the State share by \$291.32.

Thank you for your time and consideration of this request.

Respectfully,

Paul Grenier Chairman

Berlin Airport Authority



# THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



GEORGE N. CAMPBELL, JR. COMMISSIONER

JEFF BRILLHART, P.E. ASSISTANT COMMISSIONER

October 25, 2010 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 Berlin Airport Authority, Vendor Code 177362, for SBG-01-03-2010, to acquire snow removal equipment and to construct paved access for the snow removal equipment building at the Berlin Regional Airport. State and Federal participation in the amount of \$363,928.00 is effective upon Governor and Council approval through November 30, 2013. 95% Federal Funds, 5% General Funds

Funding is available as follows:

FY'11

04-96-96-960030-1789 FAA Projects 034-500151 Bonded Expenses

\$ 363,928.00

### **EXPLANATION**

Three Federal Aviation Administration (FAA) State Block Grants have been awarded for \$1,512,446.00, \$885,005.00 and \$3,143,085.00 from which \$345,732.00 (or 95% of the project cost) is proposed for this airport development project (SGB-01-03-2010 copy attached) to acquire snow removal equipment and to construct paved access for the snow removal equipment building at the Berlin Regional Airport.

This project includes the purchase of a front-mounted snow blower assembly for the airport's 4-wheel drive loader, the purchase of a snow removal plow truck with front-mounted plow, wing-mounted plow, and bed-mounted sander unit. The equipment will assist snow removal operations at the Berlin Regional Airport.

In addition to the purchase of the snow removal equipment, the airport will construct a 11,630 square foot paved surface adjacent to the snow removal equipment building, as well as, pavement of a 140 foot by 20 foot wide access road to be used by the snow removal equipment to access the airside pavements. Pavement in this location will improve the access to the snow removal equipment building and decrease site maintenance costs by eliminating the need to continuously grade and drain the gravel surface and reduce response time during deployment of snow-removal equipment.

The cost breakdown of this project is as follows:

Sponsor Administration Cost	\$	1,025.26
Design Engineering	\$	38,316.74
Freightliner of Maine (Dump Truck and Snow Plows)	\$	149,757.00
Tenco New England, Inc (Slide in Sander Unit)	\$	11,352.00
Tenco New England, Inc (Blower)	\$	116,588.00
Construction AR Couture Construction	<u>\$</u>	46,889.00
(Snow Removal Building Pavement)		
Total	\$	363,928.00

With the exception of the purchase of the snow blower, funding for the above listed equipment and construction is based on the low bidder. There were a total of 5 bids for the purchase of the snow blower. The three lowest bidders did not meet the equipment specifications and were not accepted.

The Department of Transportation accepts the Federal Funds for this project as a pass through to the Berlin Airport Authority in accordance with RSA 422:15. State participation in the amount of \$18,196.00 (5 % of this project) is also requested. The total cost of this project is \$363,928.00.

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 Capital Budget.