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State of New Hampshire  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
OFFICE OF THE COMMISSIONER  
25 Capitol Street – Room 120  
Concord, New Hampshire 03301

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Division of Public Works  
Design & Construction

October 10, 2017

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

**REQUESTED ACTION**

Authorize the Department of Administrative Services, Division of Public Works Design and Construction to enter into an agreement with SMRT, Inc. (Vendor Code 153153) Portland, ME, 04101, for Mechanical Engineering Services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department. The contract is effective from the date of Governor and Council approval through June 30, 2020. The amount expended under this agreement shall not exceed \$300,000.00.

**EXPLANATION**

The Department proposes to retain the private consulting firm of SMRT, Inc. to expedite the current project workload and provide appropriate technical expertise as required for specific projects. This is one (1) of four (4) open-ended agreements for on-call Mechanical Engineering Services that will be presented for approval. The agreement will enable the Department to respond quickly to unscheduled project requests and possible emergencies regarding mechanical issues. The decision as to which projects will be assigned will be made on a case-by-case basis depending on the particular expertise required and the firm's current workload.

This type of consulting agreement will be funded from the monies for each project. The majority of projects needing this type of mechanical consultant work are maintenance and capital funded projects.

The consultant selection process employed by the Department for this project is in accordance with RSAs 21-l:22, 21-l:22-c, and 21-l:22-d, all applicable Federal Laws and the Department's procedures for "Selection of Engineers, Architects and Surveyors" dated July 28, 2005. Consensus scoring was used in this selection process in order to assure that the perspective of each committee member received proper consideration during scoring

deliberations. Each committee member, which included Theodore Kupper, Michelle Juliano, Beverly Kowalik, and David Goulet, brings different strengths and knowledge to the table of which the other members of the committee quite often may not be aware. This allows thorough discussion and weighing of the different perspectives during the scoring process. This process also makes follow-up explanations to the unselected firms easier.

In April 2017, the Division of Public Works Design & Construction advertised in the Union Leader, the Division of Public Works Design & Construction website, and email notification soliciting interest in providing on-call Mechanical Engineering Services. Six (6) consultant firms submitted letters of interest and were considered for this assignment. The firms were then rated 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 team, and overall suitability for the assignment.

Dubois & King, Inc.  
Harriman Associates  
McFarland Johnson Inc.

SMRT Architects and Engineers  
Stantec Consulting Services, Inc.  
Yeaton Associates, Inc.

It is now the Department's intent to enter into Statewide Consultant Service Agreements with the four (4) highest rated firms as their legal documentation and Certificate of Insurance become available.

Dubois & King, Inc.  
McFarland Johnson Inc.

SMRT Architects and Engineers  
Yeaton Associates, Inc.

A copy SMRT, Inc.'s Statement of Qualifications is provided, herewith, for your information and convenience.

The subject agreement has been approved by the Attorney General as to form and execution. Copies of the fully executed agreement are on file at the Secretary of State's Office and the Department of Administrative Services, Division of Public Works Design & Construction.

Respectfully submitted,



Charles M. Arlinghaus  
Commissioner

**COMMITTEE PROPOSAL RATING FOR  
MECHANICAL STATEWIDE**

Consultant Name	Comprehension of Assignment	Clarity of Proposal	Capacity to Perform in a Timely Manner	Quality and Experience of PM/Team	Overall Suitability for the Assignment	Total Score	Cumulative Score
DuBois & King							
Ted Kupper	5	5	5	5	5	25	100.0 ←===== Highest Rating
Michelle Juliano	5	5	5	5	5	25	
Beverly Kowalik	5	5	5	5	5	25	
David Goulet	5	5	5	5	5	25	
Harriman							
Ted Kupper	3	1	1	4	4	13	80.0
Michelle Juliano	5	5	4	4	4	22	
Beverly Kowalik	4	4	5	4	5	22	
David Goulet	5	5	5	4	4	23	
McFarland Johnson							
Ted Kupper	5	5	5	5	5	25	97.0 ←===== Highest Rating
Michelle Juliano	4	5	5	4	5	23	
Beverly Kowalik	5	5	4	5	5	24	
David Goulet	5	5	5	5	5	25	
SMRT							
Ted Kupper	4	5	5	5	5	24	95.0 ←===== Highest Rating
Michelle Juliano	5	5	5	5	4	24	
Beverly Kowalik	5	4	4	5	5	23	
David Goulet	5	5	5	5	4	24	
Stantec							
Ted Kupper	3	1	3	4	4	15	71.5
Michelle Juliano	3.5	4	4	4	4	19.5	
Beverly Kowalik	4	4	4	4	4	20	
David Goulet	3	5	3	4	2	17	
Yeaton							
Ted Kupper	5	5	3	5	5	23	94.0 ←===== Highest Rating
Michelle Juliano	4	5	4	5	5	23	
Beverly Kowalik	5	4	4	5	5	23	
David Goulet	5	5	5	5	5	25	

## Explanation of Statewide Consultant Committee Selection

Members are selected using the approved guidelines for the Bureau of Public Works Design and Construction "Selection of Engineering, Architects, and Surveyor Services". Per these guidelines, the Committee should consist of the Bureau Administrator plus two other Project Managers.

The **Administrator** is a member of all the Selection Committees, serving to provide the larger perspective of the consultant capabilities that are desired, also bringing knowledge of the quantity of work and various types of anticipated projects the consultant may be called on to perform. He brings the perspective of achieving agency goals, using a balance of those consultants who have performed excellent work in the past, along with bringing in new consultant firms.

The **Assistant Administrator** manages the day-to-day oversight of the Consultant assignments, and is the second member of all the selection committees. Her job description specifically outlines her involvement in the management of the consultants. She brings the expertise of the day-to-day working with consultants. Her past and present experience involves frequent interaction with consultants, including review of consultants' proposals and their engineering work.

The **discipline head**, for the specific type of work the consultant is being hired for (i.e. Mechanical, Civil, Architectural, Electrical etc.), brings additional expertise concerning the capabilities of various consultants they have worked with. Their years of project management experience provide the more detailed perspective about the various consultants' strengths or weaknesses and how they would fit with the project needs.

Administrator PM7	Theodore Kupper – 3 years State service 35 years private sector
Assist. Administrator PM5	Michelle Juliano- 29 years State service
Mechanical Eng. PM4	Beverly Kowalik - 24 years State service
Civil Engineer PM4	Roger Dionne- 31 years State Service
Electrical Engineer PM4	Gordon Graham- 15 years State Service, 25 years private
Architectural PM4	Gary Brown - 34 years private sector and 5 years State service



SMRTINC-01

CMURRAY

**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

11/03/2017

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 have ADDITIONAL INSURED provisions or 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).

<b>PRODUCER</b> <b>Ames &amp; Gough</b> 859 Willard Street Suite 320 Quincy, MA 02169	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): <b>(617) 328-6555</b>		<b>FAX (A/C, No): (617) 328-6888</b>
	<b>E-MAIL ADDRESS: boston@amesgough.com</b>		
<b>INSURED</b>  <b>SMRT, Inc.</b> 144 Fore Street Portland, ME 04101	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	<b>INSURER A : RLI Insurance Company A+, XI</b>		<b>13056</b>
	<b>INSURER B : Travelers Casualty and Surety Company</b>		<b>19038</b>
	<b>INSURER C :</b>		
	<b>INSURER D :</b>		
	<b>INSURER E :</b>		
<b>INSURER F :</b>			

**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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
<b>A</b>	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	<b>X</b>		<b>PSB0004101</b>	<b>07/01/2017</b>	<b>07/01/2018</b>	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>1,000,000</b> MED EXP (Any one person) \$ <b>10,000</b> PERSONAL & ADV INJURY \$ <b>Included</b> GENERAL AGGREGATE \$ <b>2,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>2,000,000</b> \$
<b>A</b>	<b>AUTOMOBILE LIABILITY</b>  <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	<b>X</b>		<b>PSA0001819</b>	<b>07/01/2017</b>	<b>07/01/2018</b>	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
<b>A</b>	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ <b>0</b>	<b>X</b>		<b>PSE0003158</b>	<b>07/01/2017</b>	<b>07/01/2018</b>	EACH OCCURRENCE \$ <b>5,000,000</b> AGGREGATE \$ <b>5,000,000</b> \$
<b>A</b>	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<b>N</b>	<b>N/A</b>	<b>PSW0002671</b>	<b>07/01/2017</b>	<b>07/01/2018</b>	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ <b>1,000,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>1,000,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>1,000,000</b>
<b>B</b>	<b>Prof Liability</b>			<b>106380453</b>	<b>09/26/2017</b>	<b>09/26/2018</b>	<b>Per Claim Limit</b> \$ <b>5,000,000</b>
<b>B</b>				<b>106380453</b>	<b>09/26/2017</b>	<b>09/26/2018</b>	<b>Aggregate Limit</b> \$ <b>5,000,000</b>

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 All Coverages are in accordance with the policy terms and conditions.

Re: Engineering Services Term Contract

Professional Liability policy per claim deductible is \$70,000.

State of New Hampshire shall be listed as Additional insured with respects to General, Auto, and Excess liability where required by written contract. A 30-day notice of cancellation will be issued in accordance with policy terms and conditions.

**CERTIFICATE HOLDER****CANCELLATION**

<b>The State of New Hampshire</b> 33 Hazen Drive Concord, NH 03305	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 

