



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

Bureau of Highway Design
February 19, 2014

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 PO #4001063, with Fay, Spofford & Thorndike, LLC, Burlington, MA and Bedford, NH, Vendor #161284, for consulting design services to study improvements at three locations along NH 101A in Amherst and Merrimack, by extending the completion date from March 31, 2014 to March 31, 2015, effective upon Governor and Council approval. The original Agreement was approved by Governor and Council on January 19, 2011, Item #108. Time extension only, no new funding.

EXPLANATION

The purpose of this engineering and environmental consultant services Agreement is to study improvements to three locations along the NH 101A corridor that were identified as action items in the Milford to Nashua NH 101A Corridor Study. The locations are the intersection of Craftsman Lane/Boston Post Road and NH 101A, the segment of NH 101A from Boston Post Road to Continental Boulevard in Merrimack, and the NH101/NH101A interchange in Amherst. The intent of this project is to improve the operation and safety of the subject locations. The incorporation of bicycle and pedestrian facilities will be reviewed for feasibility at each location. The study will require analysis of the traffic and signalized intersection operations and evaluation of project controls along the heavily developed NH 101A corridor in order to determine appropriate geometry and lane use at the subject intersections. This Part A contract is for the preparation of preliminary design engineering plans. The Department reserves the right to either negotiate a fee under this contract for the additional Part B final design services (subject to subsequent approval) or terminate the contract. These intersection improvements are included in the State's Ten-Year Transportation Improvement Plan (Milford-Nashua 10136).

The Department is initiating an amendment to the Agreement to extend the contract's previously-amended completion date to allow the consultant additional time for public outreach and to progress the Merrimack portions of the project to a public hearing and complete the preliminary design of the intersection improvements for the Amherst portion of the project. Design progress has been delayed due to the Department's shifting of project priorities within the program and the Ten Year Plan. Of the original \$312,738.92 amount for this contract, there is a balance of approximately \$209,000 remaining. The contract's original completion date was September 30, 2012, and was subsequently amended to March 31, 2014.

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,

Christopher D. Clement, Sr.
Commissioner



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

MILFORD-NASHUA
NHS-STP-F-X-0101(024)
10136
(PART A)

Bureau of Highway Design
Room 200 (CMF)
Tel. (603) 271-2171
Fax (603) 271-7025

February 3, 2014

Mr. William R. Moore, P.E.
Fay, Spofford & Thorndike, LLC
288 South River Road, Building C
Bedford, NH 03110

Dear Mr. Moore:

This letter amends Article I, Section G (Date of Completion) for the above-noted Agreement. The original and amended dates are as follows:

Original Completion Date	September 30, 2012
Amended to	March 31, 2014
By this letter, amended to	March 31, 2015

This no-additional-cost change order for the contract extension was initiated by the Department.

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

Sincerely,

Ronald J. Grandmason, P.E.
Project Manager

Approved:

William J. Cass, P.E.
Director of Project Development

We concur in the above Amendment.

FAY, SPOFFORD & THORNDIKE, LLC

By: William R. Moore

Title: Sr. Vice President

s:\highway-design\towns\milford\10136\letter\fst 02-03-14 tel.docx

AGREEMENT AMENDMENT

MILFORD-NASHUA, NHS-STP-F-X-0101(024). 10136 (PART A)

FAY, SPOFFORD & THORNDIKE, LLC

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: *[Signature]*
Adm. Assistant
Dated: 2/7/14

CONSULTANT

By: *[Signature]*
Sr. Vice President (Title)
Dated: 2/7/14

Department of Transportation

WITNESS TO THE STATE OF NEW HAMPSHIRE

By: *[Signature]*
Dated: 2/19/14

THE STATE OF NEW HAMPSHIRE

By: *[Signature]*
William J. Cass, P.E.
Director of Project Development
PER DOT COMMISSIONER
Dated: 2/19/14

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: 2/25/14

By: *[Signature]*
Assistant Attorney General
John J. Conforti

Secretary of State

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

Dated: _____

Attest:

By: _____
Secretary of State



Date: February 7, 2014

I, Leonard V. Dzengelewski, Secretary of Fay, Spofford & Thorndike, Inc. (Managing Member of Fay, Spofford & Thorndike, LLC) a Massachusetts corporation, and as such having custody of the corporate records, hereby certify that the following is a true copy of the vote unanimously passed at a meeting of the Board of Directors of Fay, Spofford & Thorndike, Inc., held at Burlington, Massachusetts, on March 13, 2013, at which a quorum was present, and amended at a subsequent meeting of the Board of Directors of Fay, Spofford & Thorndike, Inc., held at Burlington, Massachusetts, on June 27, 2013, at which a quorum was present*, and as further amended through electronic vote on July 9, 2013**.

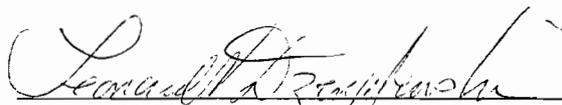
VOTED:

That the following individuals are hereby authorized and empowered for and on behalf of Fay, Spofford & Thorndike, Inc. (Managing Member of Fay, Spofford & Thorndike, LLC) to sign individually or severally, as the circumstances require, any and all contracts, agreements, or obligations between Fay, Spofford & Thorndike, LLC and any other contracting party or parties, except for obligations involving the borrowing of funds or the withdrawal of funds for corporate use from bank accounts of the company. Additionally, the named individuals are authorized to execute the following named agreement:

Milford-Nashua NHS-STP-F-X-0101(024) 10136 (Part A)

Peter J. Howe	President & Chief Executive Officer
Christopher C. Yannoni	Senior Vice President & Treasurer
Leonard V. Dzengelewski	Senior Vice President & Secretary
William J. Reed	Senior Vice President & Assistant Treasurer
Thomas D. Jenkins	Senior Vice President & Assistant Secretary
Michael A. Roache	Senior Vice President & Security Officer
Paul F. Harrington	Senior Vice President
James R. Branch	Senior Vice President
William R. Moore	Senior Vice President
Brian E. Shea	Senior Vice President
Robert E. Bertolino	Senior Vice President
**Emile J. Hamwey	Senior Principal
Parviz Amirhor	Vice President
Richard A. Azzalina	Vice President
Dennis P. Boucher	Vice President
Brian R. Brenner	Vice President
Michael E. Carroll	Vice President
Creg W. P. Cascadden	Vice President
Stephen A. Chapman	Vice President
Paul G. Ferguson	Vice President
Victor M. Govoni	Vice President
John K. Hendrickson	Vice President
*William G. Hoffman	Vice President
Edward D. Hollingshead	Vice President
John T. Krawczyk	Vice President
S.D. Daniel Lee	Vice President
David P. Mariano	Vice President
Frederick A. Moseley	Vice President
Jeffrey R. Paul	Vice President
Michael A. Sorrentino	Vice President
James M. Taylor	Vice President
Paul G. Yannoni	Vice President
Meredith S. Zona	Vice President

I further certify that said vote is in full force and effect.



Leonard V. Dzengelewski, Secretary of Fay, Spofford & Thorndike, Inc.
Managing Member of Fay, Spofford & Thorndike, LLC

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 Fay, Spofford & Thorndike, LLC, a(n) Massachusetts limited liability company registered to do business in New Hampshire on January 11, 2000. I further certify that it is in good standing as far as this office is concerned, having filed the annual report(s) and paid the fees required by law.



In TESTIMONY WHEREOF, I hereto
set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 23rd day of April, A.D. 2013

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

William M. Gardner
Secretary of State



CERTIFICATE OF LIABILITY INSURANCE

FAYSP-1

OP ID: BS

DATE (MM/DD/YYYY)

02/07/14

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 McLaughlin Insurance Agency 828 Lynn Fells Parkway Melrose, MA 02176 John E. McLaughlin Jr.	Phone: 781-665-2775	CONTACT NAME:
	Fax: 781-665-0295	PHONE (A/C, No, Ext):
		FAX (A/C, No):
		E-MAIL ADDRESS:
		INSURER(S) AFFORDING COVERAGE
		INSURER A: Hartford Insurance Company
		INSURER B: Peerless Insurance Co.
		INSURER C:
		INSURER D:
		INSURER E:
		INSURER F:
INSURED Fay, Spofford & Thorndike, Inc Robin Yeomelakis 5 Burlington Woods Burlington, MA 01803		NAIC # 19682 24198

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 INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		08UUNRO9663DB	05/01/13	05/01/14	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000
A	<input checked="" type="checkbox"/> X, C, U GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC					PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	08UENZJ7631	05/01/13	05/01/14	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10000		08XHURO9389	05/01/13	05/01/14	EACH OCCURRENCE \$ 13,000,000 AGGREGATE \$ 13,000,000
A	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 <input type="checkbox"/> N/A	08WBLE0078	05/01/13	05/01/14	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Valuable Papers		IM8436262	05/01/13	05/01/14	Limit 4,000,000 Ded 2,500

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

Project: Milford-Nashua NBS-STP-F-X-0101 (024); 10136 (Part A)
The New Hampshire Department of Transportation is an additional insured under the general liability policy for services performed by insured, if required by written contract with named insured, subject to the same terms and conditions of the policy.

CERTIFICATE HOLDER

CANCELLATION

NHDOT-1

New Hampshire Dept of Trans.
John O. Morton Building
7 Hazen Drive, P. O. Box 483
Concord, NH 03301-0483

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

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CERTIFICATE OF LIABILITY INSURANCE

OP ID: AD

DATE (MM/DD/YYYY)

02/07/2014

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 Poole Professional Ltd. 107 Audubon Rd. #2, Ste. 305 Wakefield, MA 01880 Christopher A. Poole	CONTACT NAME:		
	PHONE (A/C No, Ext):	FAX (A/C, No):	
E-MAIL ADDRESS:			
PRODUCER CUSTOMER ID #: FAYSP-1			
INSURED Fay, Spofford & Thorndike LLC Fay, Spofford & Thorndike Inc. 288 South River Road Bedford, NH 03110	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: XL Specialty Insurance Co.		37885
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

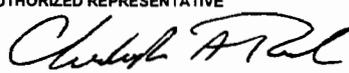
REVISION NUMBER:

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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY						EACH OCCURRENCE	\$
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$
							GENERAL AGGREGATE	\$
							PRODUCTS - COM/OP AGG	\$
	GEN'L AGGREGATE LIMIT APPLIES PER:							\$
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (PER ACCIDENT)	\$
	<input type="checkbox"/> HIRED AUTOS							\$
	<input type="checkbox"/> NON-OWNED AUTOS							\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	<input type="checkbox"/> OCCUR						AGGREGATE	\$
	EXCESS LIAB							\$
	<input type="checkbox"/> CLAIMS-MADE							\$
	DEDUCTIBLE							\$
	RETENTION \$							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS	OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N					E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> N/A					E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
A	Arch./Engr. Prof. Liability			DPR9708984	07/01/2013	07/01/2014	Aggregate	5,000,000
				DEDUCTIBLE \$75,000				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 For professional liability coverage, the aggregate limit is the total insurance available for all covered claims presented within the policy period. The limit will be reduced by payments of indemnity and expense. RE:
 Project Name: Milford-Nashua NHS-STP-F-X-0101 (024); 10136 (Part A)

CERTIFICATE HOLDER**CANCELLATION**

NHDOT-1 New Hampshire Department of Transportation John O. Morton Building 7 Hazen Drive, P.O. Box 483 Concord, NH 03301-0483	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 

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THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



99

CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

G8C 05/15/2013
#99

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

Bureau of Highway Design
April 17, 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 **RETROACTIVELY** amend PO #4001063, with Fay, Spofford & Thorndike, LLC, Burlington, MA and Bedford, NH, Vendor #161284, for consulting design services to study improvements at three intersection locations along NH 101A in Amherst and Merrimack, by extending the completion date from September 30, 2012 to March 31, 2014, effective upon Governor and Council approval. The original Agreement was approved by Governor and Council on January 19, 2011, Item #108. Time extension only, no new funding.

EXPLANATION

The retroactive amendment is for an extension of the contract completion date to account for a suspension in work on this project due to Ten Year Plan changes and uncertainty with Federal funding. The Department is now ready to resume the work effort on the project and requires the time extension to progress the Part A preliminary design.

The purpose of this engineering and environmental consultant services Agreement is to study improvements to three intersection locations along the NH 101A corridor identified as action items in the Milford to Nashua NH 101A Corridor Study. The intersections are Craftsman Lane/Boston Post Road and NH 101A from Boston Post Road to Continental Boulevard in Merrimack; and NH101/NH101A in Amherst. The intent of this project is to improve the operation and safety of the subject intersections. The incorporation of bicycle and pedestrian facilities will be reviewed for feasibility at each location. The study will require analysis of the traffic and signalized intersection operations and evaluation of project controls along the heavily developed NH 101A corridor in order to determine appropriate geometry and lane use at the subject intersections. This Part A contract is for the preparation of preliminary design engineering plans. The Department reserves the right to either negotiate a fee under this contract for the additional Part B final design services (subject to subsequent approval) or terminate the contract. This project is included in the State's Ten-Year Transportation Improvement Plan (Milford-Nashua 10136).

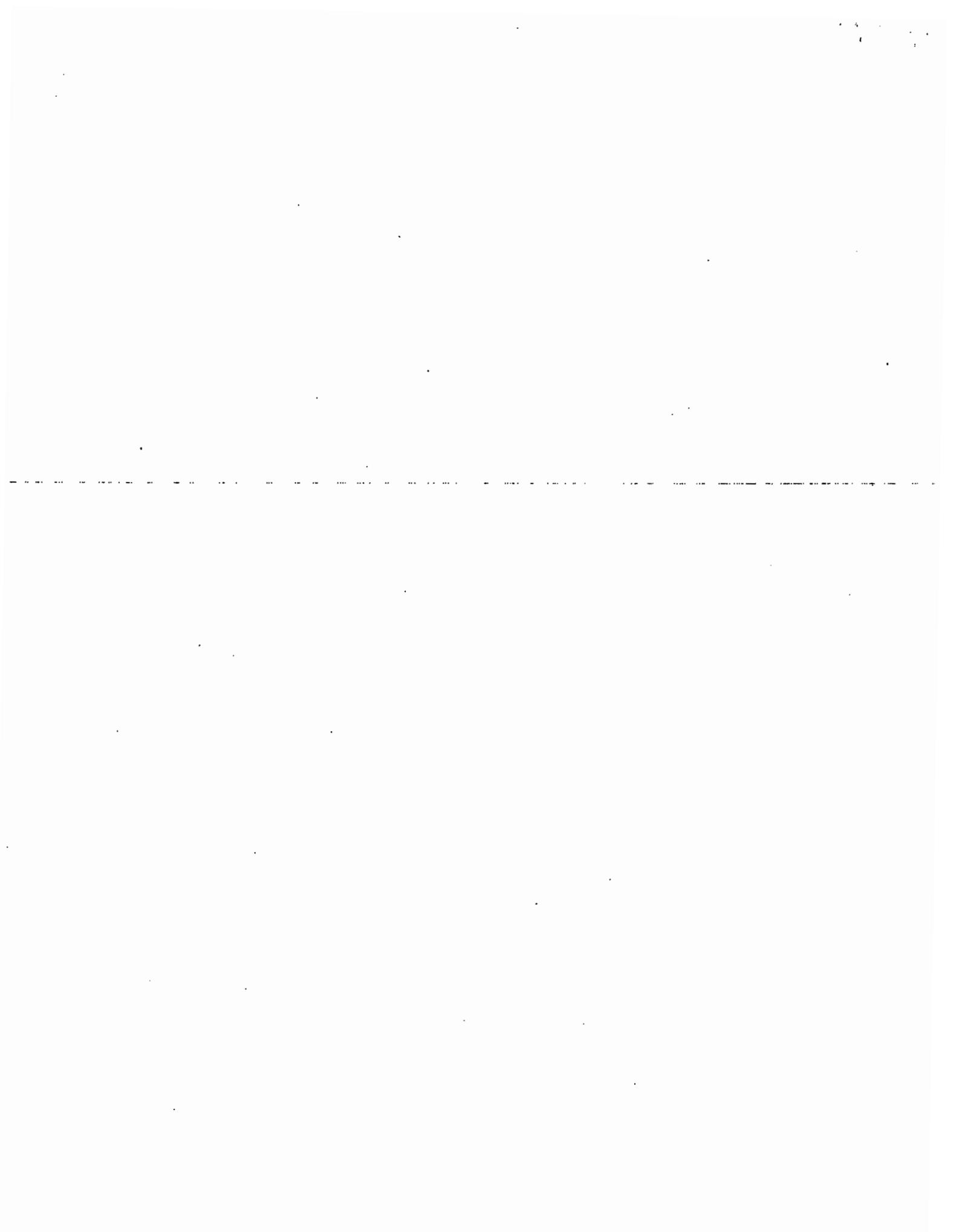
This amendment to the Agreement is to extend the contract's original completion date to allow the consultant time to progress the Merrimack portions of the project to a public hearing as well as to address comments from a December 2012 public informational meeting on the Amherst portion of the project and complete the preliminary design of the intersection improvements. Of the original \$312,738.92 amount for this contract, there is a balance of approximately \$225,300 remaining.

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,

Christopher D. Clement, Sr.
Commissioner





THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
Bureau of Highway Design



GEORGEN, CAMPBELL, JR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

GIC 1/19/11
108

December 21, 2010

His Excellency, Governor John H. Lynch
and the Honorable Council
State House
Concord, New Hampshire 03301

Requested Action

Authorize the Department of Transportation to enter into an Agreement with Fay, Spofford & Thorndike, LLC, Burlington, MA and Bedford, NH, Vendor #161284, for a not to exceed fee of \$312,738.92, for consulting design services to study improvements at three intersection locations along NH 101A in Amherst and Merrimack, effective upon Governor and Council approval, through September 30, 2012. 100% Federal Funds.

Funding is available as follows:

Table with 3 columns: Account Number, Description, and Amount. Row 1: 04-96-96-963015-3054, Consolidated Federal Aid, \$312,738.92. Row 2: 046-500463, Consultants.

EXPLANATION

The Department requires professional engineering and environmental consulting services for studying improvements to three intersection locations along the NH 101A corridor identified as action items in the Milford to Nashua NH 101A Corridor Study. The intersections are Craftsman Lane/Boston Post Road and NH 101A from Boston Post Road to Continental Boulevard in Merrimack; and NH101/NH101A in Amherst. The intent of this project is to improve the operation and safety of the subject intersections. The incorporation of bicycle and pedestrian facilities will be reviewed for feasibility at each location. The study will require analysis of the traffic and signalized intersection operations and evaluation of project controls along the heavily developed NH 101A corridor in order to determine appropriate geometry and lane use at the subject intersections. This project is included in the State's Ten-Year Transportation Improvement Plan (Milford-Nashua 10136). This Part A contract is for the preparation of preliminary design engineering plans. The Department reserves the right to either negotiate a fee under this contract for the additional Part B final design services (subject to subsequent approval) or terminate the contract.

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 consulting services for preliminary design for safety and capacity improvements at three intersections on and along NH 101A; two in Merrimack and one in Amherst. The assignment was listed as a "Possible Action Project" on the Department's website on August 14, 2009, 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 September 24, 2009 for consideration and approval by the Assistant Commissioner. Upon receipt of that approval, three shortlisted firms were notified on November 13, 2009 through a technical "Request For Proposal" (RFP). Committee members individually rated the

firms' technical proposals on January 28, 2010 using a written ballot to score each firm/team 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 with the Department, and overall suitability for the assignment. 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 the Assistant Commissioner's 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 sixteen consultant firms that were considered for this assignment, with the three short-listed firms shown in bold, is as follows:

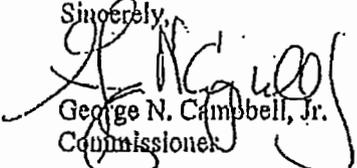
<u>Consultant Firm</u>	<u>Office Location</u>
CHA, Inc.	Keene, NH
CLD Consulting Engineers, Inc.	Manchester, NH
Concord Engineering Group, P.A.	Windham, NH
DuBois & King, Inc.	Bedford, NH
Fay, Spofford & Thorndike, LLC	Bedford, NH
GM2 Associates, Inc.	Concord, NH
Greenman-Pedersen, Inc.	Nashua, NH
Holden Transportation Engineering	Bedford, NH
Hoyle, Tanner & Associates, Inc.	Manchester, NH
Jacobs Engineering Group, Inc.	Manchester, NH
Maguire Group Inc.	Portsmouth, NH
McFarland-Johnson, Inc.	Concord, NH
PB Americas, Inc.	Manchester, NH
Shaw Environmental & Infrastructure, Inc.	Salem, NH
TY Lin International	Concord, NH
Vanasse Hangen Brustlin, Inc.	Bedford, NH

The firm of Fay, Spofford & Thorndike, LLC has been recommended for this contract. This firm has an 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.

Fay, Spofford & Thorndike, LLC has agreed to furnish the required Part A services for a not to exceed fee of \$312,738.92. This is a reasonable fee and is commensurate with the complexity of the project and the scope of the 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,

 George N. Campbell, Jr.
 Commissioner