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State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street – Room 120
Concord, New Hampshire 03301

Charles M. Arlinghaus
Commissioner
(603) 271-3201

Joseph B. Bouchard
Assistant Commissioner
(603) 271-3204

Catherine A. Keane
Deputy Commissioner
(603) 271-2059

Division of Public Works
Design and Construction
Project No. 81087– Contract B

March 2, 2021

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

REQUESTED ACTION

- 1). Authorize the Division of Public Works Design and Construction to enter into a contract with D.L. King & Associates (VC #168979), Nashua, New Hampshire for a total price not to exceed \$579,900, for Hillsborough County Courthouse South HVAC Upgrades, Nashua, New Hampshire. This contract is effective upon Governor and Council approval through June 30, 2021 unless extended in accordance with the contract terms. **88% Capital – General Funds, 9.5% Revolving Funds, 2.5% Transfer from Other Agency**
- 2). Further authorize the amount of \$20,000 be approved for payment to the Department of Administrative Services, Division of Public Works Design and Construction (VC# 311152), for engineering services provided, bringing the total to \$599,900 **100% Capital-General Funds.**

Funding is available in account titled Department of Administrative Services as follows:

01-14-14-140030-71930000 19-146:111D1 – Rock & Hills Court

034-500162 – Repair/Reno Construction	\$509,700
034-500162 – Interagency-DPW Fees	<u>\$ 20,000</u>
Sub Total	\$529,700

01-14-14-140010-60470000 RSA 21-1:19-F Energy Efficen

048-500226 – Contractual Maintenance \$40,000

Sub Total \$569,700

01-14-14-140010-20450000 Bureau of Court Facilities

048-500226 – Contractual Maintenance \$ 15,000

Sub Total \$584,700

01-14-14-140010-85100000 Facilities Escrow Account

048-500226 – Contractual Maintenance \$ 15,200

Grand Total \$599,900

EXPLANATION

The work of the project includes removing and replacing an air handler and removing a small air conditioner, both of which are located in the basement of the courthouse. The project also includes removing and replacing one rooftop unit. The existing air handler in the basement was installed in 1988 and provides heat and air conditioning. The air conditioning function failed two years ago and, since that time, the Bureau of Courts has rented a temporary air conditioning unit. The new air handler will address the basement heating and cooling loads. The existing rooftop unit was also installed in 1988 and needs to be replaced due to ongoing maintenance problems and the difficulty in obtaining replacement parts. The new rooftop unit will address the heating and cooling loads in the clerks' area on the first floor, Courts #3 and #4 on the second floor, and Courts #7 and #8 along with two judges' chambers on third floor.

The contractor has been pre-qualified by the Department of Transportation. The contract has been approved by the Attorney General as to form and execution; and the Department of Administrative Services has certified 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 Services, Division of Public Works Design and Construction.

His Excellency, Governor Christopher T. Sununu
and the Honorable Council

March 2, 2021

Page 3 of 3

Attached please find a copy of the tabulation of bids for this project along with the contract supplemental information sheet.

Respectfully submitted,



Charles M. Arlinghaus,
Commissioner

Department Estimate:	\$550,000
Contract Amount:	<u>\$579,900 (negotiated)</u>
Over Estimate:	\$29,900

CONTRACT SUPPLEMENTAL INFORMATION SHEET

PROJECT: DPW Project No. 81087, Contract B – Hillsborough County Courthouse South HVAC Upgrades, Nashua, NH

DESCRIPTION: Remove and replace the air handler and ductwork located in the basement with a new air handler and ductwork in a new mechanical room. Remove a small air conditioner in the basement that is not being used. Remove and replace one rooftop unit.

EXPLANATION: The air handler in the basement provides heat and air conditioning and was installed in 1988. The air conditioning function failed two years ago and, since that time, the court has rented a temporary air conditioning unit. The new air handler addresses the basement heating and cooling load. The rooftop unit was installed in 1988 and needs to be replaced after 33 years due to ongoing maintenance problems and the difficulty in obtaining replacement parts. The rooftop unit addresses the heating and cooling loads in the clerks' area on the first floor, Courts #3 and #4 on the second floor, and Courts #7 and #8 along with two judges' chambers on third floor.

OVER ESTIMATE

EXPLANATION: The cost for the rooftop unit was within the Department's estimate, however, the cost for the air handler was over the estimate by approximately 37%. The work involved for the removal and replacement of the air handler is very detailed and complicated. Further, the work must be accomplished in a very tight workspace. The Department's estimate did not fully take into account the difficulty of the work or workspace environment.

ALTERNATE: Since the low bid was over the allowable budget, the DEDUCT Alternate #1 was accepted to deduct the work associated with the removal and replacement of one of two rooftop units. The reduction in contract price was \$118,000.

NEGOTIATIONS: After the DEDUCT Alternate was accepted, the Department reduced the Allowance for Owner's Changes and Unknown, Latent or Differing Existing Conditions from \$30,000 to \$10,000. This additional reduction brought the project cost within budget.

DEPARTMENT

ESTIMATE: \$550,000.00

LOW BID: \$579,900.00 (Negotiated)



D.L. KING
& Associates, Inc.
GENERAL CONTRACTOR
 NASHUA, NH

dkingNH.com
 info@dkingNH.com

27 Fanglewood Drive Nashua, NH 03062-1044
 Office: 603-883-5880
 Fax: 603-883-5061

RECEIVED

12/15/2020

DEC 15 2020

SENT VIA E-MAIL

DIV OF PUBLIC WORKS

Mr. David Goulet
 Division of Public Works Design & Construction
 7 Hazen Dr.
 Concord, NH 03302

Re: NHBPW 81087B; Hillsborough County Courthouse South HVAC Upgrades
 Letter of Adjusted Bid Amounts

Dear David:

Pursuant to our discussion yesterday below is adjusted Bid Amounts

901: Bid Item as Bid	\$ 445,000
902: Bid Item as Bid	\$ 124,900
903: Bid Item as Bid	\$ 118,000
904: Allowance decreased to	\$ 10,000
991: Alternate #1 Deduct	(\$ 118,000)

Total Revised Bid is \$ 579,900.00

Yours truly,

Arthur E. King, Jr, PE
 D.L. King & Associates, Inc
 W attachments

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 D.L. KING & ASSOCIATES, INC. is a Illinois Profit Corporation registered to transact business in New Hampshire on December 29, 1999. 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: 332476

Certificate Number: 0005334382



IN TESTIMONY WHEREOF,
I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 1st day of April A.D. 2021.

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

William M. Gardner
Secretary of State



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/1/2021

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 THE ROWLEY AGENCY INC. 45 Constitution Avenue P.O. Box 511 Concord NH 03302-0511		CONTACT NAME: Renee Skillings PHONE (A/C No. Ext): (603) 224-2562 E-MAIL ADDRESS: rskillings@rowleyagency.com FAX (A/C No): (603) 224-8012	
INSURED D.L. King & Associates, Inc. 27 Tanglewood Drive Nashua NH 03062		INSURER(S) AFFORDING COVERAGE INSURER A: Arbella Insurance Group INSURER B: Arbella Protection Ins Co INSURER C: Colony Insurance Company INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: State of NH - \$1M umb

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
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <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:			8500062916	9/3/2020	9/3/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 \$
B	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			1020032951	9/3/2020	9/3/2021	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 \$ 10,000			4620086375	9/3/2020	9/3/2021	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 Products/CO Aggregate \$ 1,000,000
B	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 checked="" type="checkbox"/> Y N/A			4220057417 3A States: NH/MA Excluded Officers: Donna & Arthur King, Jr.	9/3/2020	9/3/2021	<input checked="" type="checkbox"/> PER STATUTE <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
A	LEASED/RENTED EQUIPMENT			8500062916	9/3/2020	9/3/2021	LIMIT 35,000

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

RE: Re: Job #81087B; HVAC Upgrades at Hillsborough County Courthouse South, 30 Spring St., Nashua, NH. The State of New Hampshire, its agencies, and its agents and employees are additional insureds for ongoing operations performed by or on behalf of D.L. King & Associates, Inc., per written contract.

CERTIFICATE HOLDER**CANCELLATION**

State of New Hampshire Department of Administrative Services 7 Hazen Drive Room 250 Concord, NH 03301	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 Renee Skillings/CHH
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/5/2021

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 THE ROWLEY AGENCY INC. 45 Constitution Avenue P.O. Box 511 Concord NH 03302-0511	CONTACT NAME: Renee Skillings PHONE (A/C, No, Ext): (603) 224-2562 FAX (A/C, No): (603) 224-8012 E-MAIL ADDRESS: rskillings@rowleyagency.com
	INSURER(S) AFFORDING COVERAGE INSURER A: Mid Continent Casualty Co INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED State of NH Dept of Admin Svcs (Owner) D.L. King & Associates, Inc. (Contractor) 27 Tanglewood Drive Nashua NH 03062	NAIC #

COVERAGES CERTIFICATE NUMBER: OCP 81087B 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 CERTIFICATION 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 YWD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Owners & Contractors <input type="checkbox"/> Protective Liability GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			040CP002000070	1/6/2021	1/6/2022	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COM/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input 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						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Re: Project #81087B; HVAC Upgrades at Hillsborough County Courthouse South, 30 Spring St., Nashua, NH 03060

CERTIFICATE HOLDER State of New Hampshire Dept of Administrative Services 7 Hazen Drive Room 250 Concord, NH 03301	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 Renee Skillings/RLS <i>Renee H. Skillings, CRIS</i>

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ABC Bid Data

NASHUA
81087B
NON-FEDERAL

PROJECT: NASHUA
STATE PROJECT NUMBER: 81087B
FED. PROJECT NUMBER: NON-FEDERAL
DATE BIDS OPEN: December 09, 2020,
SCOPE OF WORK: Hillsborough County Courthouse South HVAC Upgrades
COMPLETION DATE: June 30, 2021
LOCATION: Hillsborough

Awarded To:

Amount: \$0.00

Award Date:

Certified by:

Director of Project Development

Summary of Bidders

Contractor	Bid Amount	Rank
D. L. KING & ASSOCIATES INC. 27 TANGLEWOOD DRIVE, NASHUA, NH 03062-1044	\$717,900.00	A
PROJECT RESOURCE GROUP LLC 237 PLEASANT POND ROAD, PO BOX 43, FRANCESTOWN NH 03043	\$733,086.00	B
RTH MECHANICAL CONTRACTORS INC 17 PRODUCTION DRIVE, DOVER NH 03820	\$909,408.00	C

Handwritten calculations and notes:

901: \$445,000
902: \$124,900
903: \$118,000
904: \$~~30,000~~ \$10,000 - negotiated - / DL King + Assoc Inc

Sub Total = 717,900
- 991 = 118,000
= Total \$579,900
New Negotiated This contract

BUREAU OF PUBLIC WORKS

Award to DL King + Assoc, Inc.
 Hold for Negotiation
 Cancel Contract
 User Agency DAS Courts
 Authorized by [Signature]
 Date 12.16.2020



Division of Public Works

ABC Bid Data

NASHUA
81087B
NON-FEDERAL

Item No.	Description	Unit	Quantity	PS&E		D. L. JORD & ASSOCIATES INC. 37 TANGLEWOOD DRIVE NASHUA, NH 03063-9044		PROJECT RESOURCE GROUP LLC 232 PLEASANT POND ROAD FRANCISTOWN, NH 03043	
				Unit Price	Total	Unit Price	Total	Unit Price	Total

Items

901	REMOVE AND REPLACE AC 1 IN LOWER LEVEL INCLUDE ALL WORK IN LOWER LEVEL AND GALLY PORT ROOF	U	1.00	\$280,000.00	\$280,000.00	\$445,000.00	\$445,000.00	\$424,153.00	\$424,153.00
902	REMOVE AND REPLACE RTU-4	U	1.00	\$120,000.00	\$120,000.00	\$124,900.00	\$124,900.00	\$137,631.00	\$137,631.00
903	REMOVE AND REPLACE RTU-1	U	1.00	\$120,000.00	\$120,000.00	\$118,000.00	\$118,000.00	\$141,302.00	\$141,302.00
904	ALLOWANCE 1 OWNERS CHANGES FOR UNKNOWN LATENT OR DIFFERING EXISTING CONDITIONS	\$	30,000.00	\$1.00	\$30,000.00	\$1.00	\$30,000.00	\$1.00	\$30,000.00
Totals:					\$550,000.00		\$717,900.00		\$733,085.00

81087B DEDUCT ALTERNATE

81087B Deduct Alternate 1

991	DEDUCT ALT 1 PROVIDE THE COST TO DEDUCT ALL WORK RELATED TO RTU-1	U	1.00	\$120,000.00	\$120,000.00	(\$118,000.00)	(\$118,000.00)	(\$129,540.00)	(\$129,540.00)
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Alt. Totals:									
Totals:					\$550,000.00		\$717,900.00		\$733,085.00



Division of Public Works

ABC Bid Data

NASHUA
81087B
NON-FEDERAL

Item No.	Description	Unit	Quantity	B&E		BTH MECHANICAL CONTRACTORS INC 17 PRODUCTION DRIVE DOVER, NH 03830		Unit Price	Total
				Unit Price	Total	Unit Price	Total		

Items

801	REMOVE AND REPLACE AC 1 IN LOWER LEVEL INCLUDE ALL WORK IN LOWER LEVEL AND BALLY PORT ROOF	U	1.00	\$280,000.00	\$280,000.00	\$543,359.00	\$543,359.00		
802	REMOVE AND REPLACE RTU-4	U	1.00	\$120,000.00	\$120,000.00	\$187,196.00	\$187,196.00		
803	REMOVE AND REPLACE RTU-1	U	1.00	\$120,000.00	\$120,000.00	\$168,853.00	\$168,853.00		
804	ALLOWANCE 1 OWNERS CHANGES FOR UNKNOWN LATENT OR DIFFERING EXISTING CONDITIONS	\$	36,000.00	\$1.00	\$30,000.00	\$1.00	\$30,000.00		
Totals:					\$550,000.00		\$909,408.00		

81087B DEDUCT ALTERNATE

81087B Deduct Alternate 1

991	DEDUCT ALT 1 PROVIDE THE COST TO DEDUCT ALL WORK RELATED TO RTU-1	U	1.00	\$120,000.00	\$120,000.00	(\$168,853.00)	(\$155,853.00)		
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Alt. Totals:									
Totals:					\$430,000.00		\$909,408.00		