



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES

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Concord, New Hampshire 03301

Office@das.nh.gov

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MLC

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January 3, 2022

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 Richard D. Kimball, Co. (Vendor Code 341905) 200 Brickstone Square, Andover, MA., 01810 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, 2025. The amount expended under this agreement shall not exceed \$500,000.00.

EXPLANATION

The Department proposes to retain the private consulting firm of Richard D. Kimball, Co. to expedite the current project workload and provide appropriate technical expertise as required for specific projects. This is one (1) of six (6) open-ended agreements for 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.

This agreement is a proposed contract with the Mechanical Engineering Services firm selected to provide on-call Mechanical Engineering Services. It is anticipated that Mechanical Engineering Services can be handled by six (6) Mechanical firms through the contract period.

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, and David Goulet, which brings different strengths and knowledge to the table. 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 June 2021, 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 Seventeen (17) 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.

Barton & Loguidice, LLC	Engineering, P. C. (RFS Engineering)
CHA	SMRT, Inc.
CSI Engineering, LLC	Stantec Consulting Services, Inc.
Dubois & King	STV
Fitzmeyer & Tocci Assoc., Inc.	The H. L. Turner Group
Harriman Associates	Weston & Sampson
McFarland Johnson	WV Engineering Associates
Richard D. Kimball, Co.	Yeaton Associates, Inc.
Oak Point Associates	

These firms were evaluated based on years of experience, experience on relative projects and past experience with the Division of Public Works, if any. The eight (8) rated firms listed below, were sent a Request for Technical Proposals:

Barton & Loguidice, LLC	McFarland Johnson
CSI Engineering, LLC	Richard D. Kimball, Co.
Dubois & King	SMRT, Inc.
Harriman Associates	Weston & Sampson

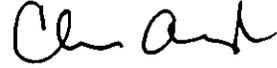
It is now the Department's intent to enter into Statewide Consultant Service Agreements with the six (6) highest rated firms as their legal documentation and Certificate of Insurance become available.

Barton & Loguidice, LLC	McFarland Johnson
Dubois & King	Richard D. Kimball, Co.
Harriman Associates	SMRT, Inc.

A copy Richard D. Kimball, Co.'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

CMA/mak

Attachments

cc: Theodore Kupper, P. E.,
Administrator

Explanation of Statewide Consultant Committee Selection

Members are selected using the approved guidelines for the Department of Public Works Design and Construction "Selection of Engineering, Architects, and Surveyor Services". Per these guidelines, the Committee should consist of the Department Administrator plus to 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 consultants. She brings the expertise of the day-to-day working with consultants. Her past and present experience involves request 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 need.

Administrator PM7	Theodore Kupper – 7 years state service 35 year private sector
Assistant Administrator PM5	Michelle Juliano – 33 years state service
Civil Engineer PM4	Roger Dionne – 35 years state service
Architectural PM4	Gary Brown – 9 years state service 34 years private sector
Mechanical Engineer PM3	David Goulet – 36 years state service

Interview/Selection date: 3-Sep-21

**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	
Barton & Loguidice							64.0	<===== Highest Rating
Ted Kupper	4	4	4	4	4	20		
Michelle Juliano	4	4	4	4	4	20		
Dave Goulet	5	5	4	5	5	24		
						0		
CSI Engineering							42.0	
Ted Kupper	3	3	3	3	3	15		
Michelle Juliano	3	4	3	3	3	16		
Dave Goulet	2	3	2	2	2	11		
						0		
DuBois & King							70.0	<===== Highest Rating
Ted Kupper	5	4	4	5	5	23		
Michelle Juliano	5	5	5	5	5	25		
Dave Goulet	4	4	4	5	5	22		
						0		
Harriman							68.0	<===== Highest Rating
Ted Kupper	4	4	5	5	4	22		
Michelle Juliano	5	5	5	5	5	25		
Dave Goulet	4	4	5	4	4	21		
						0		
McFarland Johnson							74.0	<===== Highest Rating
Ted Kupper	5	4	5	5	5	24		
Michelle Juliano	5	5	5	5	5	25		
Dave Goulet	5	5	5	5	5	25		
						0		
Richrd D. Kimball Co.							61.0	<===== Highest Rating
Ted Kupper	4	4	5	4	4	21		
Michelle Juliano	4	4	4	4	4	20		
Dave Goulet	4	4	4	4	4	20		
						0		
SMRT							68.0	<===== Highest Rating
Ted Kupper	5	4	5	4	5	23		
Michelle Juliano	5	5	5	5	5	25		
Dave Goulet	4	4	4	4	4	20		
						0		
Weston & Sampson	DID NOT RESPOND TO REQUEST FOR PROPOSAL						0.0	
Ted Kupper						0		
Michelle Juliano						0		
Dave Goulet						0		
						0		

CERTIFICATE OF CORPORATE VOTE

At a duly authorized meeting of the Board of Directors of the

Richard D. Kimball Co. held on December 1, 2021
(Name of Corporation) (Date)

At which all the Directors were present or waived notice, it was voted

Daniel J. Wall CEO
(Name) (Officer)

of this company, be and she/he hereby is authorized to execute contracts and bonds in the name and behalf of said company, and affix its Corporate Seal thereto, and such execution of any contract or

obligation in this company's name on its behalf by such CEO
(Officer)

under seal of the company, shall be valid and binding upon this company,

A TRUE COPY,

ATTEST:

Christy Wilbur

Place of Business

200 Brickstone Square, Andover, MA 01810

I hereby certify that I am the Vice President of the

Richard D. Kimball Co.

that

Daniel J. Wall

is duly elected

CEO

of said company, and

and the above vote has not been amended or rescinded and remains in full force and effect as of

force and effect as of the date of this Contract.

Christy Wilbur

(Corporate Seal)

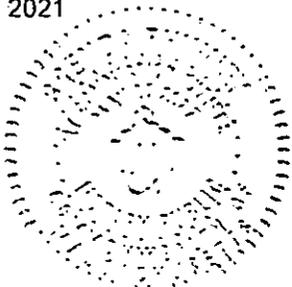
SWORN AND DESCRIBED BEFORE ME THIS

1st

DAY OF

December

2021



BRENDA PHINNEY
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 20, 2027

Brenda Phinney
Notary Public

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 RICHARD D. KIMBALL CO. is a Massachusetts Profit Corporation registered to transact business in New Hampshire on September 22, 2003. 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: 2255

Certificate Number: 0005446000



IN TESTIMONY WHEREOF.

I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 21st day of September A.D. 2021.

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

William M. Gardner
Secretary of State



CERTIFICATE OF LIABILITY INSURANCE

5/1/2022

DATE (MM/DD/YYYY)

1/3/2022

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).

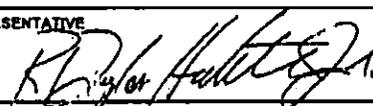
PRODUCER Lockton Companies 3280 Peachtree Road NE, Suite #250 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____	
	PHONE (A/C, No, Ext): _____	FAX (A/C, No): _____
E-MAIL ADDRESS: _____		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: The Continental Insurance Company		35289
INSURER B: National Fire Insurance Co of Hartford		20478
INSURER C: Transportation Insurance Company		20494
INSURER D: Berkley Insurance Company		32603
INSURER E: _____		
INSURER F: _____		

COVERAGES **CERTIFICATE NUMBER:** 18046410 **REVISION NUMBER:** XXXXXXXX

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 WYD	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 <input checked="" type="checkbox"/> Contractual Liab <input checked="" type="checkbox"/> Cross Liab Incl GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: Deductible: None	Y	N	7014856125	5/1/2021	5/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY	Y	N	7014842659	5/1/2021	5/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
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 \$ 50	N	N	7014841883	5/1/2021	5/1/2022	EACH OCCURRENCE \$ 20,000,000 AGGREGATE \$ 20,000,000 \$ XXXXXXXX
B C	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 N	N/A	7014842824(AOS) 7014842810(CA)	5/1/2021 5/1/2021	5/1/2022 5/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D A A	Prof/Poll Liab Bus Per Prop Leased/Rented Equip	N	N	AEC-9044114-05 7014856125 7014900785	5/1/2021 5/1/2021 5/1/2021	5/1/2022 5/1/2022 5/1/2022	Ea. Claim/Agg. \$10M/\$20M Limit \$18,219,515 Limit \$100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: Mechanical Engineering Statewide Agreement for Various Projects. Professional Liability Deductible: \$75,000. State of New Hampshire, its agencies, and its agents and employees are included as additional insureds if required by written contract with respect to General Liability and Automobile Liability per the terms and conditions of the policy. Workers' Compensation policy listed above provides coverage for any employees working under the direction of the first named insured. This includes work conducted in the state of New Hampshire

CERTIFICATE HOLDER 18046410 State of New Hampshire Department of Administrative Services PO Box 483 Concord NH 03302	CANCELLATION See Attachments 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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