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State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street – Room 100
Concord, New Hampshire 03301
Office@das.nh.gov

Charles M. Arlinghaus
Commissioner
(603) 271-3201

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

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

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 Underwood Engineers, Inc, (Vendor Code 155587) 25 Vaughan Mall, Unit 1, Portsmouth, New Hampshire, 03801 for Civil/Structural 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.

EXPLANATION

The Department proposes to retain the private consulting firm of Underwood Engineers, Inc. to expedite the current project workload and provide appropriate technical expertise as required for specific projects. This is one (1) of seven (7) open-ended agreements for Civil/Structural 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 Civil/Structural Engineering Services 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 Civil/Structural Engineering Services consultant work are maintenance and capital funded projects.

This agreement is a proposed contract with the Civil/structural Engineering Services firm selected to provide on-call Civil/Structural Engineering Services. It is anticipated that Civil/Structural Engineering Services can be handled by seven (7) Civil Structural firms through the contract period.

The consultant selection process employed by the Department for this project 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 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 Roger Dionne, 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 Civil Services. The following nineteen (19) consultant firms submitted letters of interest.

Barton & Loguidice LLC
Dubois & King, Inc..
Gale Associates, Inc.
Green International Affiliates, Inc.
Greenman –Pedersen, Inc.
Harriman
HEB Engineering
Hoyle Tanner & Associates Inc.
Jacobs Engineering Services
McFarland Johnson
TF Moran, Inc.
Nobis Group.
Oak Point Associates
SLR International Corp.
SMRT, Inc.
The Vertex Companies, Inc.
The H. L. Turner Group, Inc.
Underwood Engineering, Inc.
Vanasse Hangen Brustlin, Inc.

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 seven (7) rated firms listed below, were sent a Request for Technical Proposals:

Greenman-Pedersen, Inc.
HEB Engineering
The H. L. Turner Group, Inc.
Jacobs Engineering Services
McFarland Johnson
Underwood Engineering, Inc.
Vanasse Hangen Brustlin, Inc.

The proposals were rated on the 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.

It is now the Department's intent to enter into Statewide Consultant Service Agreements with the seven (7) highest rated firms as their legal documentation and Certificate of Insurance become available.

HEB Engineering
The H. L. Turner Group, Inc.
Jacobs Engineering Services
Underwood Engineering, Inc.
Vanasse Hangen Brustlin, Inc.

A copy of Underwood Engineers, 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

CHM/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: 9-Sep-21

COMMITTEE PROPOSAL RATING FOR
CIVIL/STRUCTURAL 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	
Greenman-Pedersen							64.0	
Ted Kupper	3	3	4	3	3	16		
Michelle Juliano	4	3	3	3	3	16		
Roger Dionne	3	4	3	3	3	16		
Scott Carri	3	3	4	3	3	16		
HEB							85.0	<===== Highest Rating
Ted Kupper	4	4	5	4	5	22		
Michelle Juliano	4	4	4	4	4	20		
Roger Dionne	4	4	5	4	5	22		
Scott Carri	4	4	4	4	5	21		
HL Turner							78.0	<===== Highest Rating
Ted Kupper	4	4	4	4	4	20		
Michelle Juliano	4	4	4	4	4	20		
Roger Dionne	4	5	3	4	4	20		
Scott Carri	4	3	4	3	4	18		
Jacobs							79.0	<===== Highest Rating
Ted Kupper	4	4	5	4	5	22		
Michelle Juliano	4	5	5	5	5	24		
Roger Dionne	3	3	3	4	3	16		
Scott Carri	3	4	4	3	3	17		
McFarland Johnson							77.0	
Ted Kupper	4	4	4	4	4	20		
Michelle Juliano	4	4	4	4	4	20		
Roger Dionne	4	3	4	4	4	19		
Scott Carri	4	3	4	4	3	18		
Underwood							79.0	<===== Highest Rating
Ted Kupper	4	3	3	4	4	18		
Michelle Juliano	4	4	4	5	4	21		
Roger Dionne	3	4	4	4	5	20		
Scott Carri	4	4	4	4	4	20		
VHB							82.0	<===== Highest Rating
Ted Kupper	4	5	4	4	5	22		
Michelle Juliano	4	4	5	5	4	22		
Roger Dionne	4	4	4	4	4	20		
Scott Carri	4	3	4	4	3	18		

Certificate of Vote/Authority

Approved as to form:

_____

Town Counsel

At a meeting of the ~~Partners~~/Directors of Underwood Engineers, Inc., held on Nov 23, 2021 at which all the ~~Partners~~/Directors were present, except_____ _____, it was

VOTES: That all contracts may be signed by two of the following officers:

Keith A. Pratt, President or W. Steven Clifton, Sr. Vice President or David J. Mercier, Vice President

A true copy Colleen A. Morrow

Attest: Colleen A. Morrow, Secretary/Treasurer

Place of Business: 25 Vaughan Mall, Portsmouth, NH 03801-4012

Date of this Contract: November 23, 2021

I hereby certify that I, Colleen A. Morrow, am the Secretary/Treasurer of Underwood Engineers, Inc., that Keith A. Pratt is the duly elected President, W. Steven Clifton is duly elected Sr. Vice President, and David J. Mercier is duly elected Vice President that the above vote has not been amended or rescinded and remains in full force and effect as of this date.

Colleen A. Morrow

Colleen A. Morrow, Secretary/Treasurer

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 UNDERWOOD ENGINEERS, INC. is a New Hampshire Profit Corporation registered to transact business in New Hampshire on June 18, 1982. 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: **47970**

Certificate Number: **0005459891**

IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 26th day of October A.D. 2021.

William M. Gardner

Secretary of State

UNDER-1

OP ID: BC

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/26/2021

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 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
Poole Professional B&B of MA 781-245-5400
107 Audubon Rd, #2, Ste 305
Wakefield, MA 01880
Christopher A. Poole

CONTACT NAME: Ernest J. Swymer
PHONE (A/C, No, Ext): 781-245-5400 FAX (A/C, No): 781-245-5463
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Hartford Casualty Insurance Co	29424
INSURER B: Hartford Insurance Company	30104
INSURER C: Twin City Fire Insurance	29459
INSURER D: XL Specialty Insurance Company	37885
INSURER E:	
INSURER F:	

INSURED
Underwood Engineers, Inc.
25 Vaughan Mall Unit 1
Portsmouth, NH 03801-4012

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	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY [X] PRO-JECT [ ] LOC OTHER:	X		08SBAAE2950	06/01/2021	06/01/2022	EACH OCCURRENCE $ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) $ 300,000 MED EXP (Any one person) $ 10,000 PERSONAL & ADV INJURY $ 1,000,000 GENERAL AGGREGATE $ 2,000,000 PRODUCTS - COMP/OP AGG $ 2,000,000 $	
B	AUTOMOBILE LIABILITY X ANY AUTO X OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY	X		08UECBB1093	06/01/2021	06/01/2022	COMBINED SINGLE LIMIT (Ea accident) $ 1,000,000 BODILY INJURY (Per person) $ BODILY INJURY (Per accident) $ PROPERTY DAMAGE (Per accident) $ $	
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 10,000	X		08SBAAE2950	06/01/2021	06/01/2022	EACH OCCURRENCE $ 5,000,000 AGGREGATE $ 5,000,000 $	
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [N] If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		08WBCAG4M6D	06/01/2021	06/01/2022	X PER STATUTE 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	Arch/Engrs Prof Liability			DPR9979009	06/01/2021	06/01/2022	Per Claim 2,000,000 Aggregate 5,000,000	

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

State of New Hampshire, its agencies, and its agents and employees are included as additional insured per written contract under the general, auto, and umbrella liability policies subject to same terms and conditions.
Statewide Civil/Structural Engineering Services Agreement
Professional Liability Deductible: $25,000

CERTIFICATE HOLDER STNHD-1

State of New Hampshire
Dept. of Administrative Svcs
Div Public Works Design Constr
7 Hazen Drive PO Box 483
Concord, NH 03302-0483

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

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