



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES

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Concord, New Hampshire 03301
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Commissioner
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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 Oak Point Associates, P. A. (Vendor Code 174008) 85 Middle Street, Portsmouth, N. H. 0801, (231 Main Street, Biddeford, Maine, 04005) for Architectural 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 \$750,000.

EXPLANATION

The Department proposes to retain the private consulting firm 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 Architectural Services that will be presented for approval. The agreement will enable the Department to respond quickly to unscheduled project requests and possible emergencies regarding Architectural 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 Architectural Services consultant work are maintenance and capital funded projects.

This agreement is a proposed contract with the Architectural Services firm selected to provide on-call Architectural Services. It is anticipated that Architectural Services can be handled by seven (7) Architectural 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, Timothy Smith, and Gary Brown, 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 Architectural Services. The following twenty-one (21) consultant firms submitted letters of interest.

AG Architects, PC	PortOne Architects
Anzalone Associates, Frank	Scott & Partners
CHA	Smith-Alvarez-Sienkiewicz,
Duncan Douglas McCallum Architects	SMRT, Inc
Freeman French Freeman	Stone River Architects
Harriman Associates	Tennant Goucher Architects
JSA, Inc.	The H. L. Turner Group, Inc.
KOAL, PLLC	Warrenstreet Architects, Inc.
Lavallee Brensinger Architects	Weston & Sampson
Misiaszek Turpin, PLLC	Williams Architects, PLLC, Christopher P.
Oak Point Associates, P. A.	

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 ten (10) rated firms listed below, were sent a Request for Technical Proposals:

CHA	Scott & Partners
Freeman French Freeman	Smith-Alvarez-Sienkiewicz
JSA, Inc.	SMRT, Inc
KOAL, PLLC	Stone River Architects
Oak Point Associates, P. A.	Tennant Goucher Architects

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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.

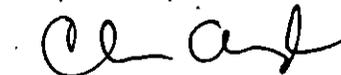
It is now the Department's intent to enter into Statewide Consultant Service Agreements with the seven (7) highest rated firms as their legal documentation and Certificate of Insurance become available.

CHA	Smith-Alvarez-Sienkiewicz
JSA, Inc.	SMRT, Inc
KOAL, PLLC	Stone River Architects
Oak Point Associates, P. A.	

A copy of Oak Point Associates, P. A.'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

**COMMITTEE PROPOSAL RATING FOR
ARCHITECTURAL 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	
CHA							95.0	<----- Highest Rating
Ted Kupper	5	4	4	5	5	23		
Michelle Juliano	5	4	5	4	5	23		
Gary Brown	5	5	5	4	5	24		
Tim Smith	5	5	5	5	5	25		
Freeman French Freeman							59.0	
Ted Kupper	3	3	3	4	3	16		
Michelle Juliano	3	3	3	3	3	15		
Gary Brown	2	2	3	3	3	13		
Tim Smith	3	2	3	4	3	15		
JSA							82.0	<----- Highest Rating
Ted Kupper	4	4	4	4	4	20		
Michelle Juliano	4	4	4	5	5	22		
Gary Brown	3	4	4	4	3	18		
Tim Smith	4	4	4	5	5	22		
KOAL							94.0	<----- Highest Rating
Ted Kupper	4	5	5	5	5	24		
Michelle Juliano	5	5	5	5	5	25		
Gary Brown	4	4	4	4	5	21		
Tim Smith	5	5	4	5	5	24		
Oak Point							92.0	<----- Highest Rating
Ted Kupper	4	4	5	5	5	23		
Michelle Juliano	4	4	5	5	5	23		
Gary Brown	4	4	5	4	4	21		
Tim Smith	5	5	5	5	5	25		
Smith Alvarez Sienkiewicz							96.0	<----- Highest Rating
Ted Kupper	4	4	5	5	5	23		
Michelle Juliano	5	5	5	5	5	25		
Gary Brown	4	5	5	5	5	24		
Tim Smith	5	5	4	5	5	24		
Scott + Partners							78.0	
Ted Kupper	4	4	4	4	4	20		
Michelle Juliano	4	4	4	4	4	20		
Gary Brown	4	4	4	3	3	18		
Tim Smith	4	4	4	4	4	20		
SMRT							97.0	<----- Highest Rating
Ted Kupper	4	5	5	5	5	24		
Michelle Juliano	5	4	5	5	5	24		
Gary Brown	5	5	5	4	5	24		
Tim Smith	5	5	5	5	5	25		
Stone River							91.0	<----- Highest Rating
Ted Kupper	4	4	4	5	5	22		
Michelle Juliano	4	4	4	5	5	22		
Gary Brown	5	4	5	4	5	23		
Tim Smith	5	5	4	5	5	24		
Tennant Goucher							65.0	
Ted Kupper	3	3	3	3	3	15		
Michelle Juliano	4	4	3	3	3	17		
Gary Brown	3	2	3	3	3	14		
Tim Smith	4	4	3	4	4	19		

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

OAK POINT ASSOCIATES

Certificate of Vote

I, Thomas Danylik, hereby certify that I am duly elected Clerk of Oak Point Associates.

I hereby certify the following is a true copy of a vote taken at a meeting of the Board of Directors of the Corporation, duly called and held on October 26, 2021 at which a quorum of the Board was present and voting

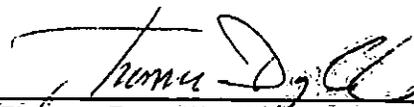
VOTED:

That the President of the Corporation, Robert C. Tillotson, is hereby authorized, empowered and directed to enter into any such agreements and other such agreements with the State of New Hampshire as may be necessary to carry out and consummate the rendering of architectural and engineering services and to execute and deliver all documents and instruments as may be presently necessary or later become necessary in order to effect the purpose of this vote on behalf of and under the seal of this Corporation.

I hereby certify that said vote has not been amended or repealed and remains in full force and effect as of October 26, 2021, and that Robert C. Tillotson, Lynn Lamontagne and Robert Tillotson, II are the duly elected Director and Director/Stockholders, respectively of this corporation.

Attest:

Date: October 26, 2021


Thomas Danylik, Clerk

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 OAK POINT ASSOCIATES is a Maine Professional Profit Corporation registered to do business in New Hampshire as OAK POINT ASSOCIATES, P.A. on February 16, 1994. 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: 89991

Certificate Number: 0005451876



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 5th day of October A.D. 2021.

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

William M. Gardner
Secretary of State



OAKPOIN-01

EGLLEASON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/12/2022

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 Clark Insurance 1945 Congress Street, Bldg A PO Box 3543 Portland, ME 04104-3543	CONTACT NAME: PHONE (A/C, No, Ext): (207) 774-6257		FAX (A/C, No): (207) 774-2994
	E-MAIL ADDRESS: info@clarkinsurance.com		
INSURED Oak Point Associates PO Box 1259 Biddeford, ME 04005	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Tri-State Insurance Company of Minnesota		31003
	INSURER B: Continental Western Insurance Company		10804
	INSURER C: Acadia		31325
	INSURER D: Maine Employers Mutual Ins Co		11149
	INSURER E: XL Specialty Insurance Co		37885
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 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 checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJ <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:		X	ADV5244623-15	5/23/2021	5/23/2022	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COM/POP AGG \$ 4,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			CAA5100503-18	5/23/2021	5/23/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTIONS \$			CUA5244624-15	5/23/2021	5/23/2022	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	5101800856	5/23/2021	5/23/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
E	Prof Liability			DPR9979620	6/15/2021	6/15/2022	Each Claim 3,000,000
E	Deductible: \$50,000			DPR9979620	6/15/2021	6/15/2022	Aggregate 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached 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.

Architectural Statewide Agreement
Workers Compensation Coverage reflects 3.A. States of Maine & New Hampshire
SEE ATTACHED ACORD 101

CERTIFICATE HOLDER State of New Hampshire Department of Administrative Services Division of Public Works Design & Construction 7 Hazen Drive, Room 250 Concord, NH 03302	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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ADDITIONAL REMARKS SCHEDULE

AGENCY Clark Insurance		NAMED INSURED Oak Point Associates PO Box 1259 Biddeford, ME 04005	
POLICY NUMBER SEE PAGE 1		EFFECTIVE DATE: SEE PAGE 1	
CARRIER SEE PAGE 1	NAIC CODE SEE P 1		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Description of Operations/Locations/Vehicles:

State of New Hampshire, it agencies, agents and employees are additional insured's, by automatic status, when required by written contract, when executed prior to any loss, with regards to general liability arising out of the ongoing operations of the insured.