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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

Division of Public Works Design &
Construction
January 10, 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 SMRT, Inc. (Vendor Code 153153) 75 Washington Ave, Portland, Maine 04101 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 SMRT, Inc. 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-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 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
Fitzemeyer & Tocci Assoc., Inc.	The H. L. Turner Group
Harriman Associates	Weston & Sampson
McFarland Johnson	WV Engineering Associates
NV5	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	NV5
Dubois & King	SMRT, Inc.
Harriman Associates	Weston & Sampson

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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	NV5
Harriman Associates	SMRT, Inc.

A copy of SMRT, 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

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

Mechanical David Goulet – 36 years state service
Engineer PM3

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		
NV5							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 AUTHORITY

At a duly authorized meeting of the Board of Directors of SMRT, Inc. held on December 10, 2021, at which all of the directors were present and waived notice, it was VOTED that:

Michael J. Chonko

Asst. Treasurer

Of this corporation, he and he hereby is authorized to submit bids and proposals, execute contracts, deeds and bonds in the name and on behalf of said corporation, and affix its corporate seal hereto; and such execution of any contract, deed or obligation in this corporation's name on its behalf by such Michael Chonko under seal of the company, shall be valid and binding upon this corporation.

A True Copy,

ATTEST:

Title:

Place of Business:

Date of this Certificate:

Richard F. Olson

Clerk

*Curios Theater, One
Canal Plaza, Portland, Maine 04101*

December 13, 2021

I hereby certify that I am the clerk of SMRT Inc. and that Michael J. Chonko is the duly elected assistant treasurer of said corporation, and that the above vote has not been amended or rescinded and remains in full force and effect as of the date of this contract.

Richard F. Olson

Clerk

RICHARD F. OLSON

Corporate Seal:



State of New Hampshire

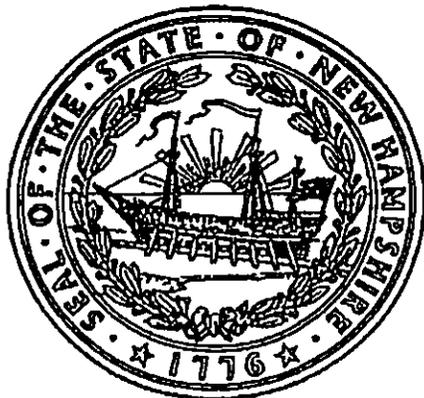
Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that SMRT, INC. is a Maine Profit Corporation registered to transact business in New Hampshire on March 18, 1998. 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: 290083

Certificate Number: 0005476233



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 6th day of December A.D. 2021.

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

William M. Gardner
Secretary of State



SMRTINC-01

VSANTOSUOSSO

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/11/2022

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 Ames & Gough 859 Willard Street Suite 320 Quincy, MA 02169	CONTACT PHONE (A/C, No, Ext): (617) 328-6555 FAX (A/C, No): (617) 328-6888 E-MAIL ADDRESS: boston@amesgough.com														
INSURED SMRT, Inc. 75 Washington Ave, Suite 3A PO BOX 618 Portland, ME 04101	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A: RLI Insurance Company A+, XII</td> <td style="text-align: center;">13056</td> </tr> <tr> <td>INSURER B: Berkshire Hathaway Specialty Insurance Company</td> <td style="text-align: center;">22276</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: RLI Insurance Company A+, XII	13056	INSURER B: Berkshire Hathaway Specialty Insurance Company	22276	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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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 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 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X		PSB0004101	7/1/2021	7/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 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
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	X		PSA0001819	7/1/2021	7/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0			PSE0003158	7/1/2021	7/1/2022	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	PSW0002671	7/1/2021	7/1/2022	<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
B	Professional Liab.			47EPP31750801	9/26/2021	9/26/2022	Per Claim Limit \$ 5,000,000
B				47EPP31750801	9/26/2021	9/26/2022	Aggregate Limit \$ 5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 All Coverages are in accordance with the policy terms and conditions.

Re: Mechanical Engineering Statewide Agreement

State, its agencies, and its agents, and employees shall be listed as Additional Insured with respects to General and Auto liability where required by written contract. A 30-day notice of cancellation will be issued in accordance with policy terms and conditions. Professional Liability policy per claim deductible is \$70,000. Workers compensation policy Includes coverage for employees working in the state of New Hampshire.

CERTIFICATE HOLDER**CANCELLATION**

State of NH, Department of Administrative Services PO Box 483 Concord, NH 03302	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 <i>Jared Maxwell</i>
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