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State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street – Room 100
Concord, New Hampshire 03301
(603) 271-3201 | Office@das.nh.gov

Charles M. Arlinghaus
Commissioner

Catherine A. Keane
Deputy Commissioner

Sheri L. Rockburn
Assistant Commissioner

November 23, 2023

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

Re: Statewide Mechanical Engineering Services Consultant Agreement – Dubois & King, Inc. for Professional Design and Construction Documents, On-site Observation, and Inspection for Mechanical Engineering Services for Public Works' Projects.

REQUESTED ACTION

Authorize the Department of Administrative Services, Division of Public Works Design and Construction to enter into an agreement with Dubois & King, Inc. (Vendor Code 160381) 75 North Main Street, Waterbury, VT., 05676 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, 2027. The amount expended under this agreement shall not exceed $500,000.

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 five (5) 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 Engineering 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 Engineering Services 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 five (5) Engineering 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. The following members of the NH Division of Public Works Design and Construction were on the selection committee: Theodore Kupper, P.E – Director; Michelle Juliano, P.E. – Deputy Director; and David Goulet – Public Works Project Manager III. Each member 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 2023, the Division of Public Works Design & Construction solicited Registered Mechanical Engineers, by public announcement in the State, for interest in providing on-call Mechanical Engineering Services. The following eight (8) consultant firms submitted letters of interest.

B2Q
CHA Architecture, P. C.
DuBois & King
Harriman Associates
HL Turner Group
McFarland-Johnson, Inc.
Oak Point Associates
SMRT, 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:

B2Q
CHA Architecture, P. C.
DuBois & King
Harriman Associates
McFarland-Johnson, Inc.
Oak Point Associates
SMRT, 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 five (5) highest rated firms as their legal documentation and Certificate of Insurance become available.

CHA Architecture, P. C.
DuBois & King
Harriman Associates
McFarland-Johnson, Inc.
SMRT, Inc.

A copy of Dubois & King, 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

Attachments: Dubois & King, Inc.'s Statement of Qualifications

cc: Theodore Kupper, P. E.,
Director

Interview/Selection date: 19-Oct-23

COMMITTEE PROPOSAL RATING FOR
Mechanical Statewide Agreement

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	
B2Q							**43.0**	
Ted Kupper	3	3	3	2	2	13		
Michelle Juliano	3	4	3	3	3	16		
David Goulet	3	3	3	2	3	14		
CHA							**58.0**	<===== Highest Rating
Ted Kupper	3	4	3	4	3	17		
Michelle Juliano	4.5	5	4.5	5	5	24		
David Goulet	3	4	3	4	3	17		
DuBois & King							**54.5**	<===== Highest Rating
Ted Kupper	3	3	3	3	4	16		
Michelle Juliano	4.5	4.5	4.5	4.5	4.5	22.5		
David Goulet	3	3	4	3	3	16		
Harriman							**56.5**	<===== Highest Rating
Ted Kupper	3	3	4	3	3	16		
Michelle Juliano	4.5	5	5	5	5	24.5		
David Goulet	3	3	4	3	3	16		
McFarland Johnson							**66.0**	<===== Highest Rating
Ted Kupper	4	4	4	4	5	21		
Michelle Juliano	5	5	5	5	5	25		
David Goulet	4	4	4	4	4	20		
Oak Point							**49.5**	
Ted Kupper	3	3	3	3	2	14		
Michelle Juliano	4	4.5	4.5	4.5	4	21.5		
David Goulet	3	3	3	3	2	14		
SMRT							**55.0**	<===== Highest Rating
Ted Kupper	3	3	3	2	4	15		
Michelle Juliano	5	5	5	5	5	25		
David Goulet	3	3	3	3	3	15		

Exhibit C

QA/QC PROGRAM

DuBois & King inc.

QA/QC PROGRAM

DuBois & King maintains a consistent and thorough quality control and assurance program (QA/QC) for all of its building services projects. This QA/QC program is built upon the philosophy of collaborative cross-checking and back-checking of all documents through the full design process of a project. The D&K design process follows the traditional design development phases including schematic design (SD), design development (DD), and construction documentation (CD), all of which contain quality control review during and at the end of each phase.

The QA process assures that good design processes and procedures are being adhered to and carried out for each project. The QA process assures that appropriate design team members are assigned to projects and that staff understand project goals and objectives.

As a complement to our QA process, our QC process consists of actions conducted by the design team during project development to assure the design is developed in accordance with the requirements of the Client and Owner. The QC process includes standard processes, such as conducting back-checks of plan content; checking of calculations; and review of all reports, invoices, and project correspondence prior to submission.

SCHEMATIC DESIGN

This initial phase of work is vetted through a series of engineering staff meetings, charrettes, and conversations to review design intention, scope, and system type. These meetings communicate Client requirements, goals, deliverables, and schedule to the design team. The conclusion of this effort establishes the Owner's project requirements outline, which is reviewed with the Client (and Architect, where applicable). The SD meeting is called and directed by the Divisional Director and includes both assigned Senior Engineer and staff engineers for a full collaborative effort.

SD STAFF CHARRETTE

Contract Manager	Steve Dumas
Senior Project Manager	(Varies by Discipline)
Senior Discipline Engineer	(Engineer of Record)
Staff Discipline Engineers	(Engineer of Record)

These collaborative meetings provide opportunities to explore the shared knowledge base of the design team and define the team's general direction and establish and communicate project milestones. The goal is to assure that the Client receives the best possible solution for the project and that timeframes and budgets are incorporated into the design approach.

DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENTATION

During DD and CD phases, the QA/QC program utilizes engineering staff that are not assigned to the project for review of design documents. At selected points through each phase (30%, 50%, 75%, etc.), documents are internally reviewed for design consistency, clear communication of construction requirements, code compliance, and coordination with architectural, structural, and other building disciplines. The SD phase requirements are regularly reviewed and compared against the DD/CD documents together with schedule and deliverable dates.

Specific requirements of MEP projects are reviewed and checked for accuracy and consistency with the project's defined goals. These requirements include the following project components:

- Design calculations
- Equipment selections
- Compliance with State codes & industry guidelines
- General constructability
- Compliance with client design and construction standards (as applicable)
- Discipline coordination (HVAC, electrical, structural)

Staff engineers are utilized to cross-check documents. A structural engineer will be used to review mechanical or electrical drawings for communication (spelling, literacy, etc.) and drawing cross-references. Mechanical engineers will review electrical drawings, while electrical engineers will review mechanical drawings. A similar process occurs with structural drawings that are incorporated into our mechanical projects. This promotes a consistent QA/QC process throughout the disciplines assigned to the project. All results of these QA/QC efforts are reviewed with the Senior Engineer(s) of Record and the Senior Project Manager.

CONSTRUCTION DOCUMENT DELIVERABLE

At selective phases, D&K's Steve Dumas, PE, CxA, BCxP, LEED AP, Contract Manager, performs an independent QA/QC review of the work including drawings, specifications, and design criteria. While throughout the design phase, the Senior PM oversees and manages the project, Steve will perform an independent QA/QC review. General reviews include:

- Conformance with divisional AutoCAD standards
- Conformance with project design criteria
- Conformance with the project proposal, scope, and schedules
- Completeness, clarity, and accuracy
- Compatibility with sound engineering and plan development practices
- Final release for engineering stamps and signatures
- The continual and final QA/QC review requires the Senior PM and senior Department Managers to take ultimate responsibility of the work as designed.

CONSTRUCTION PHASE PROCESS

The QA/QC process completed during the design phase extends into the construction period of the project. The Engineer of Record (EOR) and the Senior Project Manager (SPM) assigned to the project remain assigned and involved throughout the construction period.

Every project has a project manual developed for recording of all construction phase activities. Projects too large for a manual utilize file folders. One copy of all project correspondence and record data is maintained in the file. All design drawings are kept up-to-date after RFIs and sketches are issued and incorporated into the project. All shop drawings, product submittals, cut sheets, and other data required or necessary to incorporate into the construction work are reviewed by the SPM and EOR. This two-tiered QA/QC review process ensures that the submittals conform to the design and construction intent for the project. Specific additional actions by personnel under this phase of the work are:

- Contractor RFIs and Responses: By the SPM/copies to the EOR
- Client Correspondence: By the SPM/copies to the EOR and Steve Dumas
- Periodic Site Reviews (subject to Client requirements): By the SPM/copies of the report to the EOR
- Shop Drawing and Submittal Reviews: By the EOR/copies to the SPM with reviews by Steve Dumas
- Test Report Reviews: By the EOR and SPM/copies to Steve Dumas
- O&M Manual Reviews: By the EOR and SPM/copies to Steve Dumas
- Punch List Site Reviews (by engineering discipline): By the EOR and SPM/copies to Steve Dumas
- Record Drawings Reviews: By the SPM/copies to the EOR
- Close-Out Documentation: By the EOR and SPM

A final PDF copy of the design drawings with the record drawings are placed in the central project file. Project files and drawings are archived with the project after the Client's first year of occupancy or use of the system

DUBOKIN-01 LARKA1

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 9/6/2023

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
Digital Insurance LLC - Rutland, VT
98 Merchants Row
Rutland, VT 05701

CONTACT NAME: Karen Larocque
PHONE (A/C, No, Ext): (800) 296-5722 53191 FAX (A/C, No): (802) 728-4625
E-MAIL ADDRESS: karen.larocque@onedigital.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Acadia Insurance	31325
INSURER B : Star Insurance Company	18023
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Dubois & King, Inc.
PO Box 339
Randolph, VT 05060

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						EACH OCCURRENCE	$ 2,000,000
	CLAIMS-MADE X OCCUR	X		ADV5384525 - 14	8/7/2023	8/7/2024	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 4,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 4,000,000
	OTHER:							$
A	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$ 2,000,000
	X ANY AUTO			ADV5384525 - 14	8/7/2023	8/7/2024	BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB / X OCCUR			ADV5384525 - 14	8/7/2023	8/7/2024	EACH OCCURRENCE	$ 5,000,000
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$ 5,000,000
	DED X RETENTION $ 0							$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						X PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N N	N/A		WC0871481	8/7/2023	8/7/2024	E.L. EACH ACCIDENT	$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 500,000
							E.L. DISEASE - POLICY LIMIT	$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Project: Statewide Mechanical
States Listed Under Section 3A of the Workers Compensation Policy: ME, NH, NY, VT
No Excluded Officers

State of New Hampshire, its agencies, and its agents and employees have additional insured status with regards to the general liability coverage as per written contract.

CERTIFICATE HOLDER

State of New Hampshire
Department of Administrative Services
Division of Public Works Design & Construction
PO Box 483
Concord, NH 3302

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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DUBOI-2

OP ID: KR

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 08/02/2023

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.

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PRODUCER
Poole Professional B&B of MA
107 Audubon Rd, #2, Ste 305
Wakefield, MA 01880
Thomas M. Mullard
585-385-0428

CONTACT NAME: Thomas M. Mullard
PHONE (A/C, No, Ext): 585-385-0428
FAX (A/C, No):
E-MAIL ADDRESS: krullo@poolepl.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : XL Specialty Insurance Company	37885
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
DuBois & King, Inc.
P.O. Box 339
Randolph, VT 05060

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	CLAIMS-MADE / OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	POLICY / PRO-JECT / LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Prof. Liability			DPR5016720	08/01/2023	08/01/2024	PER CLAIM	3,000,000
	PollutionLiability						AGGREGATE	3,000,000

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

Project: Mechanical Statewide

CERTIFICATE HOLDER

STATENH

State of New Hampshire Deprt
of Administrative Services Div
of Public Works Design & Const
P.O. Box 483
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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State of New Hampshire
Department of State

CERTIFICATE

I, David M. Scanlan, Secretary of State of the State of New Hampshire, do hereby certify that DUBOIS & KING, INC. is a Vermont Profit Corporation registered to transact business in New Hampshire on June 04, 1970. 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: **766**
Certificate Number: **0006345862**

IN TESTIMONY WHEREOF,
I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 14th day of November A.D. 2023.

David M. Scanlan
Secretary of State

DuBois & King, Inc.

Certificate of Vote
And
Certificate of Authority

I, Melissa L. Stephen, hereby certify that I am duly elected Clerk of DuBois & King, Inc.

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 February 22, 2023, at which a quorum of the Board was present and voting.

VOTED:

> That the President of the Corporation (Charles K. Goodling) is authorized and directed to execute and deliver, on behalf of the Corporation, any and all documents to include, but not by way of limitation, The Contract Agreement that in such officer's sole judgement, are necessary or appropriate in connection with executing a Contract Agreement with the State of New Hampshire Department of Administrative Services, Division of Public Works Design & Construction to provide Professional Services under this Statewide Mechanical Agreement.

I hereby certify that said vote has not been amended or repealed and remains in full force and effect as of November 14, 2023, and that Charles K. Goodling is authorized to submit the Contract Agreement as detailed above for this Corporation.

Date: November 14, 2023

Attest:

Clerk