

149 mac



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

January 4, 2024

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

REQUESTED ACTION

Authorize the Department of Administrative Services, Division of Plant and Property to make a **retroactive and sole source** payment to HD Seal & Stripe LLC of Concord, NH, (VC# 471300), for invoices dated July 26 and July 28, 2023, totaling \$35,500 for crack sealing, seal coating and striping services that were provided at the State Office Park in Concord, effective upon Governor and Council approval. **100% Other Funds.**

Funding is available in account titled Department of Administrative Services, Division of Plant and Property as follows:

| | |
|---|---------------|
| 01-14-14-141510-70490000 – DAS Maintenance Fund | <u>FY2024</u> |
| 048-500226 – Contractual Maint Build-Grn | \$35,500 |

EXPLANATION

In accordance with RSA 21-I:12,II, the Department of Administrative Services (DAS), Division of Plant and Property Management is responsible to "provide for the general maintenance of state-owned buildings and grounds, except as otherwise provided by law." DAS maintains approximately 91 state owned facilities located throughout the State.

This request is **retroactive and sole source** because this arrangement did not follow the rules around purchasing nor was a contract ever issued nor was the Public Works process followed. Nonetheless, the first round of work was completed, however inappropriately arranged, and the vendor ought to be paid for work completed.

Between March and June of 2023, we received four quotes for paving work to be done on the State Office Park South campus. They ranged from a low of \$68,900 to a high of \$102,020. Facilities staff

engaged the lowest-quote contractor but without a contract, without going to Governor and Council (as required for work more than \$10,000), and without engaging or applying for a waiver from the Division of Public Works (as required for projects greater than \$25,000).

These transgressions were discovered in early October when the first bill for \$35,500 was submitted for payment with no valid underlying contract or other vehicle for authorization. The delay in you seeing this item is because of my own indecision not about how to proceed but how to phrase the letter and whether or not to pay the invoice before this retroactive and sole source item would be approved. In the end, I have decided we have to pay the vendor for work performed regardless of our series of errors. Because that's true, it would be unfair to that small business to make them wait any longer than they already have. Therefore, we paid the vendor at the end of November for services rendered.

No additional work under the original quote will be done. Future paving and sealing work including the additional scope of the quote referenced will likely require an exclusion from the Public Works process (not atypical with paving on the grounds), a Request for Proposals, a contract, a governor and council item. One good that can come out of an operational failure is that it presents a learning opportunity and a memorable reminder of rules and regulations to be followed.

Attached is the lowest quote and invoices related to the work that was completed.

Respectfully submitted,



Charles M. Arlinghaus
Commissioner



Prepared For

Justin Horan - NH Bureau of Facilities & Asset Management
79 Sout Fruit St
Concord, NH
(603) 455-4262

HD Seal & Stripe LLC

6 Wheaton Ave
Concord, NH 03301
Phone: (603) 393-4555
Email: hdssllc@gmail.com
Web: www.hdsealedit.com

Estimate # 1748
Date 03/10/2023

| Description | Total |
|---|--------------------|
| Pavement Preservation | \$25,000.00 |
| Crack Sealing (All Highlighted Roads) \$15,000.00 Up to 7,000lbs of hot rubber crackseal Clean cracks of plant matter, dirt, and debris. Torch moisture out of cracks using a compressed air propane hot air lance if needed. Seal primary cracks (1/2"+), joints, and around failed areas to contain deterioration with commercial grade hot rubber material. Broadcast black beauty sand over hot rubber to permit safe vehicle travel. We do not use hot rubber on concrete, failed "alligator" areas, pot-holes, sealer cracks, broken edges, or non pavement patches. | |
| Crack Sealing (#1 - Tobey) \$2,500.00 Up to 800lbs of hot rubber crackseal Clean cracks of plant matter, dirt, and debris. Torch moisture out of cracks using a compressed air propane hot air lance if needed. Seal primary cracks (1/2"+), joints, and around failed areas to contain deterioration with commercial grade hot rubber material. Broadcast black beauty sand over hot rubber to permit safe vehicle travel. We do not use hot rubber on concrete, failed "alligator" areas, pot-holes, sealer cracks, broken edges, or non pavement patches. | |
| Crack Sealing (#2 - Archives) \$2,000.00 Up to 600lbs of hot rubber crackseal Clean cracks of plant matter, dirt, and debris. Torch moisture out of cracks using a compressed air propane hot air lance if needed. Seal primary cracks (1/2"+), joints, and around failed areas to contain deterioration with commercial grade hot rubber material. Broadcast black beauty sand over hot rubber to permit safe vehicle travel. We do not use hot rubber on concrete, failed "alligator" areas, pot-holes, sealer cracks, broken edges, or non pavement patches. | |

Crack Sealing (#3 - Thayer)

\$3,000.00

Up to 1,000lbs of hot rubber crackseal

Clean cracks of plant matter, dirt, and debris. Torch moisture out of cracks using a compressed air propane hot air lance if needed. Seal primary cracks (½"+), joints, and around failed areas to contain deterioration with commercial grade hot rubber material. Broadcast black beauty sand over hot rubber to permit safe vehicle travel. We do not use hot rubber on concrete, failed "alligator" areas, pot-holes, sealer cracks, broken edges, or non pavement patches.

Crack Sealing (#4 - Dolloff)

\$2,500.00

Up to 800lbs of hot rubber crackseal

Clean cracks of plant matter, dirt, and debris. Torch moisture out of cracks using a compressed air propane hot air lance if needed. Seal primary cracks (½"+), joints, and around failed areas to contain deterioration with commercial grade hot rubber material. Broadcast black beauty sand over hot rubber to permit safe vehicle travel. We do not use hot rubber on concrete, failed "alligator" areas, pot-holes, sealer cracks, broken edges, or non pavement patches.

Pavement Beautification

\$62,500.00

Sealcoating, 2 Coat Application (#1 - Tobey)

\$19,600.00

≈49,000sqft of eco-friendly sealcoat (2 coats)

Cone off and thoroughly clean all pavement including cutting back overgrown edges, trimming low branches and overgrown gardens on/over the pavement, blowing/pulling back mulch and decorative landscape rocks to protect them, scrubbing dirty spots with a steel wire broom, blowing off all pavement surfaces, and priming fresh oil spots. We will apply 2 coats of an environmentally friendly sealcoat with added sand for traction to the pavement surface, allowing coats to cure between applications. We will caution tape the entrance of the driveway. Please leave this up for at least 48 hours, we recommend 72 hours if possible - the longer the better. Please do not drive on the sealcoat within the first 48 hours. When driving on new sealcoat, be cautious not to turn the tires unless the vehicle is moving forward or backward, no stationary turning. Sealcoat will mirror the pavements current state of deterioration, there is no guarantee that sealcoat will adhere to oil spots, under overhanging trees, tree sap damaged areas, mossy areas, or previous materials used on the asphalt even with the use of our asphalt primer. This service/item price does not include cracksealing or line striping.

Line Striping, New Layout (#1 - Tobey)

\$2,800.00

Use acrylicbased paint to line stripe and stencil parking lot to existing or specified layout over sealcoat or fresh pavement. The finished layout will be ADA compliant, providing safe and visible parking lines and stencils.

Sealcoating, 2 Coat Application (#2 - Archives)

\$17,200.00

≈43,000sqft of eco-friendly sealcoat (2 coats)

Cone off and thoroughly clean all pavement including cutting back overgrown edges, trimming low branches and overgrown gardens on/over the pavement, blowing/pulling back mulch and decorative landscape rocks to protect them, scrubbing dirty spots with a steel wire broom, blowing off all pavement surfaces, and priming fresh oil spots. We will apply 2 coats of an environmentally

friendly sealcoat with added sand for traction to the pavement surface, allowing coats to cure between applications. We will caution tape the entrance of the driveway. Please leave this up for at least 48 hours, we recommend 72 hours if possible - the longer the better. Please do not drive on the sealcoat within the first 48 hours. When driving on new sealcoat, be cautious not to turn the tires unless the vehicle is moving forward or backward, no stationary turning. Sealcoat will mirror the pavements current state of deterioration, there is no guarantee that sealcoat will adhere to oil spots, under overhanging trees, tree sap damaged areas, mossy areas, or previous materials used on the asphalt even with the use of our asphalt primer. This service/item price does not include cracksealing or line striping.

Line Striping, New Layout (#2 - Archives) \$1,300.00

Use acrylicbased paint to line stripe and stencil parking lot to existing or specified layout over sealcoat or fresh pavement. The finished layout will be ADA compliant, providing safe and visible parking lines and stencils.

Sealcoating, 2 Coat Application (#3 - Thayer) \$11,600.00

≈29,000sqft of eco-friendly sealcoat (2 coats)

Cone off and thoroughly clean all pavement including cutting back overgrown edges, trimming low branches and overgrown gardens on/over the pavement, blowing/pulling back mulch and decorative landscape rocks to protect them, scrubbing dirty spots with a steel wire broom, blowing off all pavement surfaces, and priming fresh oil spots. We will apply 2 coats of an environmentally friendly sealcoat with added sand for traction to the pavement surface, allowing coats to cure between applications. We will caution tape the entrance of the driveway. Please leave this up for at least 48 hours, we recommend 72 hours if possible - the longer the better. Please do not drive on the sealcoat within the first 48 hours. When driving on new sealcoat, be cautious not to turn the tires unless the vehicle is moving forward or backward, no stationary turning. Sealcoat will mirror the pavements current state of deterioration, there is no guarantee that sealcoat will adhere to oil spots, under overhanging trees, tree sap damaged areas, mossy areas, or previous materials used on the asphalt even with the use of our asphalt primer. This service/item price does not include cracksealing or line striping.

Line Striping, New Layout (#3 - Thayer) \$1,100.00

Use acrylicbased paint to line stripe and stencil parking lot to existing or specified layout over sealcoat or fresh pavement. The finished layout will be ADA compliant, providing safe and visible parking lines and stencils.

Sealcoating, 2 Coat Application (#4 - Dolloff) \$8,000.00

≈20,000sqft of eco-friendly sealcoat (2 coats)

Cone off and thoroughly clean all pavement including cutting back overgrown edges, trimming low branches and overgrown gardens on/over the pavement, blowing/pulling back mulch and decorative landscape rocks to protect them, scrubbing dirty spots with a steel wire broom, blowing off all pavement surfaces, and priming fresh oil spots. We will apply 2 coats of an environmentally friendly sealcoat with added sand for traction to the pavement surface, allowing coats to cure between applications. We will caution tape the entrance of the driveway. Please leave this up for at least 48 hours, we recommend 72 hours if possible - the longer the better. Please do not drive on the sealcoat within the first 48 hours. When driving on new sealcoat, be cautious not to turn the tires unless the vehicle is moving forward or backward, no stationary turning.

Sealcoat will mirror the pavements current state of deterioration, there is no guarantee that sealcoat will adhere to oil spots, under overhanging trees, tree sap damaged areas, mossy areas, or previous materials used on the asphalt even with the use of our asphalt primer. This service/item price does not include cracksealing or line striping.

Line Striping, New Layout (#4 - Dolloff) \$900.00

Use acrylicbased paint to line stripe and stencil parking lot to existing or specified layout over sealcoat or fresh pavement. The finished layout will be ADA compliant, providing safe and visible parking lines and stencils.

| | |
|-----------------|--------------------|
| Subtotal | \$87,500.00 |
| <hr/> | |
| Discount | \$18,600.00 |
| <hr/> | |
| Total | \$68,900.00 |

Notes:

****NOTE:** This estimate is for a 2 coat application of sealcoat to protect the parkinglot from heavy traffic and increase the longevity of the sealcoat. If only 1 application of sealcoat is desired, the total price of all services would be \$48,000.**

*Final discount is only valid when signing on all services. Please let us know if you want to make any adjustments, and we will provide you with a new total.

We can schedule your pavement maintenance project as soon as this estimate is signed by following the "more actions" menu at the top of this page, and the weather permits our material to cure properly.

We can discount an additional \$25 for every customer you refer to HD Seal & Stripe LLC that signs an estimate for any pavement maintenance project.

Thank you for the opportunity to give you this proposal and build a working relationship, please let us know if there's any adjustments we need to make to secure this project or if you have any questions/concerns.

As an owner operated company, our top priority is customer satisfaction, we take pride in every job so you can take back pride in your pavement.

We encourage you to review us on Google or with the BBB and like/follow us on FaceBook, Instagram, and YouTube to view pictures and videos of the work we do every day. (We like to do raffles on our Facebook page!)

We look forward to the possibility of preserving your pavement in its current state of deterioration and protecting your paved investment.

We recommend resealing every 2-4 years depending on traffic and weather. Please call us if you have any questions or concerns.

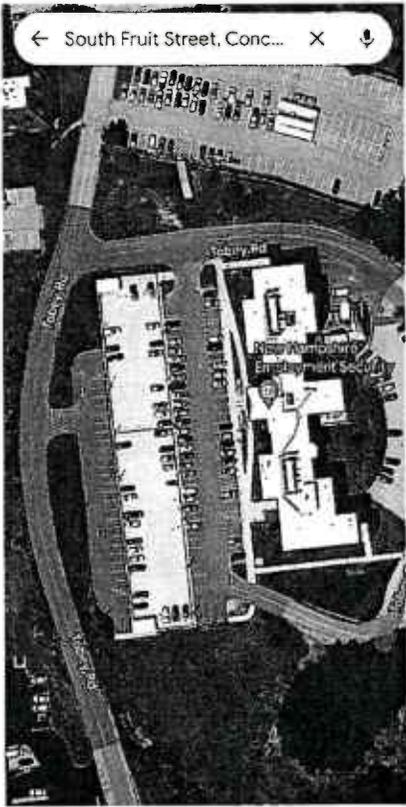
-Harold Davis, owner & operator, HD Seal & Stripe LLC

Tips for aftercare:

After sealcoating please keep all sprinkler systems off as well as turning off any A/C units that overhang or drip water onto the sealcoated area for 24 hours, this will greatly reduce the possibility of wash out damage to the driveway or property. When driving on new pavement or sealcoat, do not turn any vehicles tires while the vehicle is not moving - this will leave power steering marks/dents and can cause permanent damage. Some power steering marks may be unavoidable within the first couple of weeks and typically fade away or blend in quickly. To avoid this, use caution while driving on new asphalt or sealcoat and only turn the steering wheel if the vehicle is moving forward or backward, trying not to make fast or tight turns. Avoid parking

directly on hot rubber crackseal, especially on hotter days or in direct sunlight - this will greatly reduce the chance of leaving tire impressions in your hot rubber crack seal, the black beauty sand we add on top of the rubber adds extra protection. Sealcoat will always wear off the hot rubber crackseal with traffic as it's flexible, this is normal, and the sand we use on top also helps the sealcoat bond to the rubber longer. Take care to quickly clean any chemical or oil spills that may occur - most automotive oils, lawn and garden fertilizers, landscape mulch, and cleaning chemicals cause permanent damage to your asphalt or sealcoat. Keeping your driveway clean of sand, salt, mulch, tree debris (acorns, sticks, leaves, pine needles/cones, berries, fruit, nuts, etc.), and other pollutions will greatly extend the life of your sealcoat. We recommend using an air blower or garden hose to clean and wash the driveway - avoid pressure washers and cleaning chemicals when caring for your sealcoat. We recommend trimming branches or cutting down trees that overhang the driveway to reduce the amount of tree sap and acidic rain on the pavement - sealcoat under trees will wear quicker due to the tree secretions. We recommend snow blowing if possible - plowing and heavy trucks or equipment can cause early wearing, scrapes, cracks, or damage the asphalt. When parking motorcycles, using car jacks, or parking trailers (campers, boats, snowmobiles, dumpsters, heavy equipment etc.) on the asphalt, make sure to use a kick plate (wood, metal, plastic, etc.) to avoid sinking into or marking the pavement - this happens more on hot days or when left unmoved for an extended period of time. For the love of all dogs and children, please check the temperature of the asphalt (with or without sealcoat) before walking dogs or barefoot humans in the sun - freshly sealcoated or newly paved asphalt can seriously burn dog paws or bare human feet on sunny or hot days. Make sure no pets are allowed unleashed or children unsupervised around wet sealcoat and hot rubber or asphalt. Although our sealcoat is environmentally friendly, do not let dogs or humans ingest sealcoat or asphalt chips. Use care, caution, and common sense always. As always, please call or text us if you ever have any questions or concerns with your pavement, hot rubber, or sealcoat.

Please leave us a detailed review on Google or with the BBB and like us on Facebook, Instagram, and YouTube.



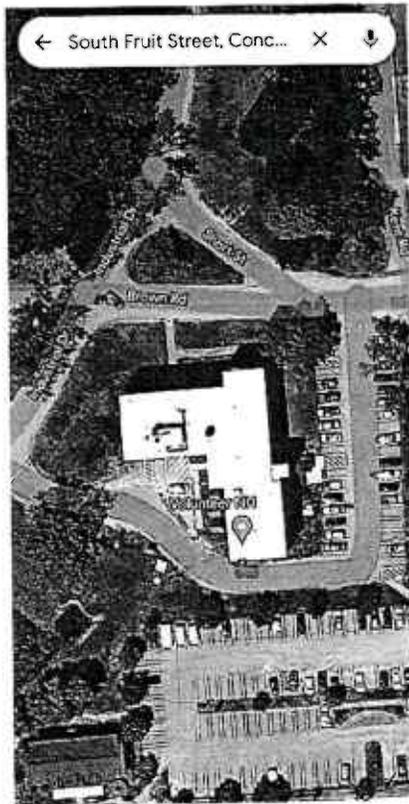
#1 - Tobey



#2 - Archives



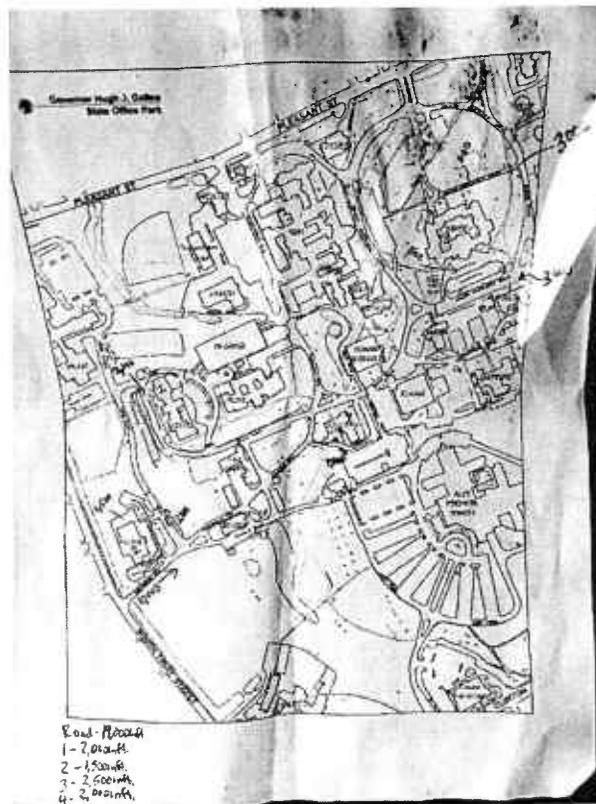
#3 - Thayer



#4 - Dolloff



NOTE: Total for original estimate of cracksealing ONLY.



crackseal highlighted roads and numbered parkinglots only



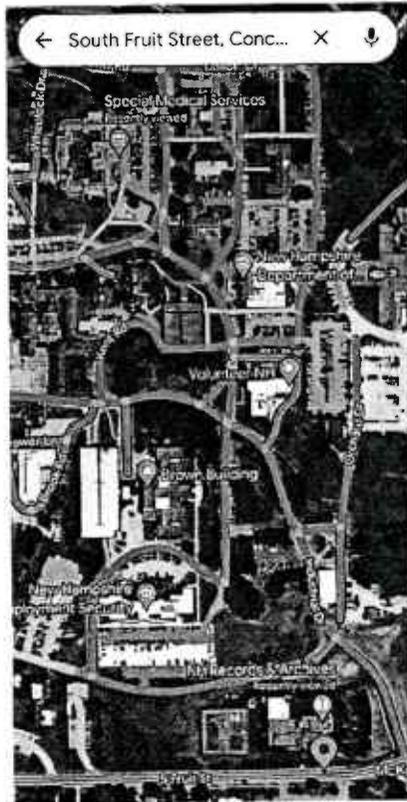
some sinking cracks need to be cracksealed asap to avoid sub-base damage, failed areas, and sink holes.



heavy vegetation in some areas needs to be properly cleaned out and cracksealed asap to avoid further growth and damage.



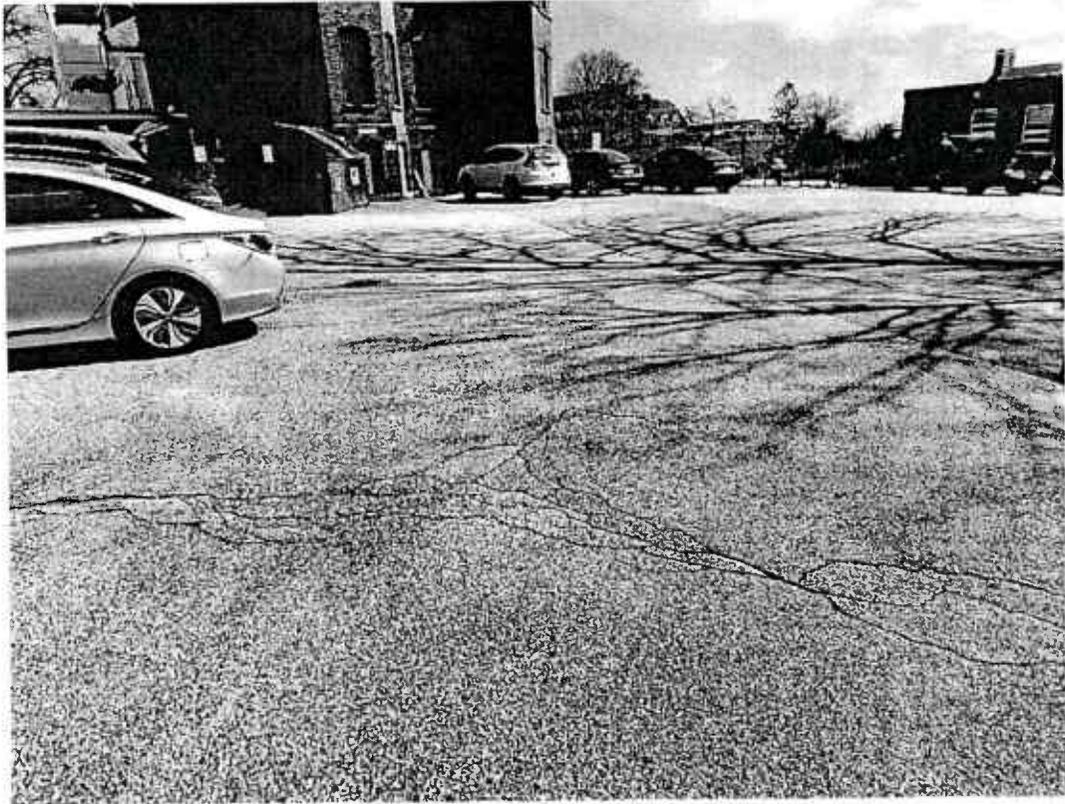
some cracks are creating failed areas, which will grow and lead to pot-holes if not cracksealed asap.

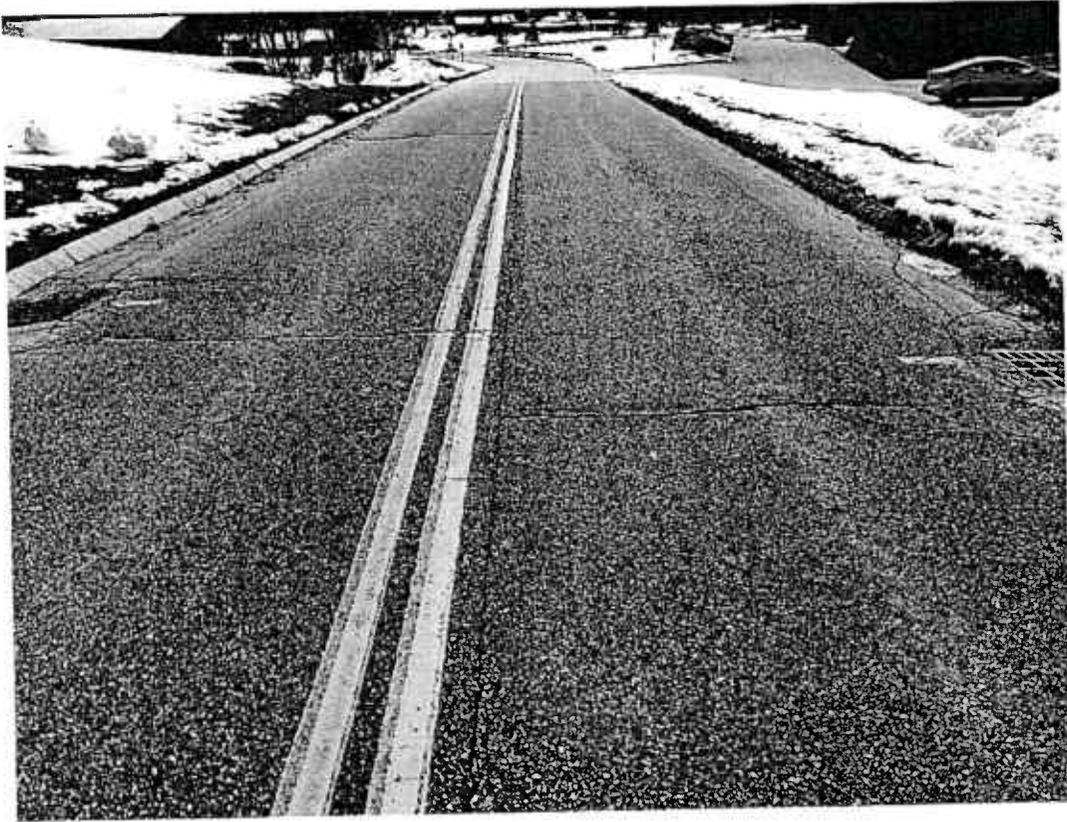












HD

SEAL & STRIPE LLC

Pavement Preservation Specialist

Harold Davis
(603) 393-4555

FREE Estimates

Find us on
facebook



- Seal Coating-
- Crack Sealing-
- Line Striping-
- Paving & Repairs-



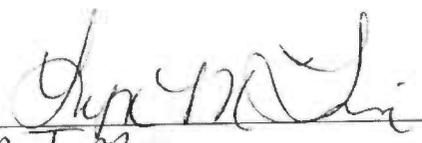
-Dump Gravel, Stone, Mulch & More-

-Fall/Spring Cleaning/Sweeping-

www.hdsealedit.com

Email: hdssllc@gmail.com

By signing this document, or agreeing to this estimate via text or email, the customer agrees to the services and conditions outlined in this document. We will send an invoice upon job completion, please pay the total amount via check made out to HD Seal & Stripe LLC to the address on the invoice within 10 days of job completion. Any unpaid accounts after 30 days will be charged an EXTRA \$1,000 late fee. Customer is responsible for all legal fees if needed to collect payment or defend us from litigations from this contract, including any attorney bills. We reserve the right to lien the property if not paid in full. We reserve the right to cancel this contract under our discretion, with or without reason. We encourage you to check us out on Google and Facebook to see the work we do everyday, we believe in running a transparent family business! We reserve the right to take pictures of all our work on any property that we have worked on and post them on social media and on the Internet. Thank you for supporting our family business. Save it Before You Pave it!™ #bestinthe603



Lyn Trapp
NH Bureau of Facilities & Asset
Management



PROPOSAL NUMBER

4124-1

JOB NAME AND ADDRESS

79 S Fruit St
Concord, NH 03301

CLIENT

State of NH
79 S Fruit St
Concord, NH 03301

CONTACT

Justin Horan

PROJECT PROPOSAL

4/10/2023

CORPORATE OFFICE

39 Industrial Pkwy
Woburn MA, 01801
781-932-4722 office

SALESPERSON

Chris Parker
National Account Manager
cparker@uspavement.com

1-800-PAVEMENT

INVOICE



Bill To

Justin Horan - NH Bureau of Facilities & Asset
 Management
 79 Sout Fruit St
 Concord, NH
 (603) 455-4262

HD Seal & Stripe LLC

6 Wheaton Ave
 Concord, NH 03301
 Phone: (603) 393-4555
 Email: hdssllc@gmail.com
 Web: www.hdsealedit.com

Payment terms 10 Days
 Invoice # 1020
 Date 07/26/2023

| Description | Total |
|--|----------------------|
| Pavement Preservation | \$2,000.00 ✓ |
| Crack Sealing (#2 - Archives) | \$2,000.00 |
| Up to 600lbs of hot rubber crackseal Clean cracks of plant matter, dirt, and debris. Torch moisture out of cracks using a compressed air propane hot air lance if needed. Seal primary cracks (½"+), joints, and around failed areas to contain deterioration with commercial grade hot rubber material. Broadcast black beauty sand over hot rubber to permit safe vehicle travel. We do not use hot rubber on concrete, failed "alligator" areas, pot-holes, sealer cracks, broken edges, or non pavement patches. | |
| Pavement Beautification | \$18,500.00 ✓ |
| Sealcoating, 2 Coat Application (#2 - Archives) | \$17,200.00 |
| ≈43,000sqft of eco-friendly sealcoat (2 coats) Cone off and thoroughly clean all pavement including cutting back overgrown edges, trimming low branches and overgrown gardens on/over the pavement, blowing/pulling back mulch and decorative landscape rocks to protect them, scrubbing dirty spots with a steel wire broom, blowing off all pavement surfaces, and priming fresh oil spots. We will apply 2 coats of an environmentally friendly sealcoat with added sand for traction to the pavement surface, allowing coats to cure between applications. We will caution tape the entrance of the driveway. Please leave this up for at least 48 hours, we recommend 72 hours if possible - the longer the better. Please do not drive on the sealcoat within the first 48 hours. When driving on new sealcoat, be cautious not to turn the tires unless the vehicle is moving forward or backward, no stationary turning. Sealcoat will mirror the pavements current state of deterioration, there is no guarantee that sealcoat will adhere to oil spots, under overhanging trees, tree sap damaged areas, mossy areas, | |

or previous materials used on the asphalt even with the use of our asphalt primer. This service/item price does not include cracksealing or line striping.

Line Striping, New Layout (#2 - Archives)

\$1,300.00

Use acrylicbased paint to line stripe and stencil parking lot to existing or specified layout over sealcoat or fresh pavement. The finished layout will be ADA compliant, providing safe and visible parking lines and stencils.

| | |
|-----------------|--------------------|
| Subtotal | \$20,500.00 |
| <hr/> | |
| Total | \$20,500.00 |



HD Seal & Stripe LLC

6 Wheaton Ave
Concord, NH 03301
Phone: (603) 393-4555
Email: hdssllc@gmail.com
Web: www.hdsealedit.com

Bill To

Justin Horan - NH Bureau of Facilities & Asset
Management
79 Sout Fruit St
Concord, NH
(603) 455-4262

Payment terms 10 Days
Invoice # 1022
Date 07/28/2023

| Description | Total |
|---|---------------|
| Pavement Preservation | \$15,000.00 ✓ |
| Crack Sealing Roads | \$15,000.00 |
| Up to 7,000lbs of hot rubber crackseal Clean cracks of plant matter, dirt, and debris. Torch moisture out of cracks using a compressed air propane hot air lance if needed. Seal primary cracks (½"+), joints, and around failed areas to contain deterioration with commercial grade hot rubber material. Broadcast black beauty sand over hot rubber to permit safe vehicle travel. We do not use hot rubber on concrete, failed "alligator" areas, pot-holes, sealer cracks, broken edges, or non pavement patches. | |
| Subtotal | \$15,000.00 |
| Total | \$15,000.00 |

835.00