



# State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES

25 Capitol Street - Room 100  
Concord, New Hampshire 03301  
(603) 271-3201 | [Office@das.nh.gov](mailto:Office@das.nh.gov)

120

max

Charles M. Arlinghaus  
Commissioner

Catherine A. Keane  
Deputy Commissioner

Sheri L. Rockburn  
Assistant Commissioner

February 2, 2024

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

### REQUESTED ACTION

1) Authorize the Division of Public Works Design and Construction to enter into a contract with Berg Contracting and Construction (VC#204935), Fitzwilliam, New Hampshire, for a total price not to exceed \$512,100, for Project Number 81333, Contract RA, Ashley Ferry Boat Ramp Replacement. This contract is effective upon Governor and Council approval through October 30, 2024, unless extended in accordance with the contract terms. **59% Agency Funds 41% Federal Funds.**

2) Further authorize the amount of \$39,660 be approved for payment to the Department of Administrative Services, Division of Public Works Design and Construction (VC#311152), for engineering services provided, bringing the total to \$551,760. **59% Agency Funds 41% Federal Funds.**

Funding is available in account titled NH Fish and Game Department, as follows:

	<u>FY 2024</u>
03-20-75-753510-2117000 STATEWIDE PUBLIC BOAT ACCESS	
307-500849 – Contract Repairs - Boat Access - Construction	\$ 512,100
307-500849 – Contract Repairs - Boat Access - DPW Fees	<u>\$ 39,660</u>
<b>Grand Total</b>	<b>\$ 551,760</b>

### EXPLANATION

This contract removes the existing deteriorated boat ramp and replaces it with a new concrete boat ramp to access the Connecticut River, in Claremont. The contract also includes constructing an accessible loading platform for those with physical disabilities. This will be one of two accessible loading platforms in the state.

The existing boat ramp was built in 1998 and has reached its life expectancy. The existing concrete ramp is failing and a section has broken apart and fallen further into the Connecticut River.

A public bid opening was held on November 15, 2023. Five (5) bid proposals were received, and the contract was awarded to the lowest qualified bidder. The low bid is 15% over the Department estimate. The estimate was based on previous boat ramp projects which may not have accurately reflected the continued rising costs within the industry for building material and labor.

The contractor has been pre-qualified by the Department of Transportation. The contract has been approved by the Attorney General as to form and execution; and the Department of Administrative Services has certified that the necessary funds are available. Copies of the fully executed contract are on file at the Secretary of State's Office and the Department of Administrative Services, Division of Public Works Design and Construction.

Respectfully submitted,



Charles M. Arlinghaus,  
Commissioner

Department Estimate:	\$ 445,000.00
Low Base Bid (without Alternates):	<u>\$ 512,000.00</u>
Over Estimate:	\$ 67,000.00



Division of Public Works

# ABC Bid Data

CLAREMONT  
81333RA  
81333R

PROJECT: CLAREMONT  
STATE PROJECT NUMBER: 81333RA  
FED. PROJECT NUMBER: 81333R  
DATE BIDS OPEN: November 15, 2023,  
SCOPE OF WORK: Ashley Ferry Boat Ramp Replacement  
COMPLETION DATE: October 30, 2024  
LOCATION: Sullivan

Awarded To:

Amount: \$0.00  
Award Date:

Certified by: \_\_\_\_\_  
Director of Project Development

## Summary of Bidders

Contractor	Bid Amount	Rank
BERG CONTRACTING & CONSTRUCTION 114 RHODODENDRON ROAD, FITZWILLIAM NH 03447	\$512,100.00	A
DANIELS, NEIL H. INC. 4409 ROUTE 5 SOUTH, PO BOX 246, ASCUTNEY VT 05030-0246	\$528,685.00	B
TRIPLE CONSTRUCTION LLC 5 EXECUTIVE DRIVE SUITE 3, HUDSON NH 03051	\$576,496.00	C
NORTHEAST EARTH MECHANICS LLC 159 BARNSTEAD ROAD, PITTSFIELD NH 03263	\$688,000.00	D

### **BID AWARD**

S & R CORPORATION  
706 BROADWAY STREET, LOWELL MA 01854

Award To: Berg Contracting & Construction  
Contract Award: \$ 512,100.00  
Negotiated: Yes/No?: No  
Alternates: Yes/No?: No  
Using Agency: NHF&G  
Authorized By: Theodore Kupper, PC  
Date: 12/20/2023

Item 901: \$ <u>472,100.00</u>	Item 906: \$ _____
Item 902: \$ <u>40,000.00</u>	Item 907: \$ <u>\$976,144.65</u>
Item 903: \$ _____	Item 908: \$ _____
Item 904: \$ _____	Item 909: \$ _____
Item 905: \$ _____	Item 910: \$ _____

BASE BID TOTAL: \$ 512,100.00

Alternate #1: \$ _____	Alternate #6: \$ _____
Alternate #2: \$ _____	Alternate #7: \$ _____
Alternate #3: \$ _____	Alternate #8: \$ _____
Alternate #4: \$ _____	Alternate #9: \$ _____
Alternate #5: \$ _____	Alternate #10: \$ _____



Division of Public Works

# ABC Bid Data

CLAREMONT

81333RA

81333R

Item No.	Description	Unit	Quantity	P&E		BERO CONTRACTING & CONSTRUCTION 114 RHODOBENDRON ROAD FITZWILLIAM, NH 03447		DANIELS, NEIL H. INC. 4409 ROUTE 8 SOUTH ASCUTNEY, VT 05020-0216	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
<b>Items</b>									
901	REPLACE BOAT RAMP AND CONSTRUCT ADA LOADING PLATFORM PER PLANS AND SPECIFICATIONS	U	1.00	\$405,000.00	\$405,000.00	\$472,100.00	\$472,100.00	\$488,685.00	\$488,685.00
902	ALLOWANCE FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	\$	40,000.00	\$1.00	\$40,000.00	\$1.00	\$40,000.00	\$1.00	\$40,000.00
<b>Totals:</b>					\$445,000.00		\$512,100.00		\$528,685.00
<b>All Totals:</b>									
<b>Totals:</b>					\$445,000.00		\$512,100.00		\$528,685.00



Division of Public Works

# ABC Bid Data

CLAREMONT

81333RA

81333R

Item No.	Description	Unit	Quantity	P&A		TRIPLE CONSTRUCTION LLC 9 EXECUTIVE DRIVE SUITE 3 HUDSON, NH 03051		NORTHEAST EARTH MECHANICS LLC 151 BARNSTEAD ROAD PITTSFIELD, NH 03263	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
<b>Items</b>									
901	REPLACE BOAT RAMP AND CONSTRUCT ADA LOADING PLATFORM PER PLANS AND SPECIFICATIONS	U	1.00	\$405,000.00	\$405,000.00	\$536,496.00	\$536,496.00	\$848,000.00	\$848,000.00
902	ALLOWANCE FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	\$	40,000.00	\$1.00	\$40,000.00	\$1.00	\$40,000.00	\$1.00	\$40,000.00
<b>Totals:</b>				<b>\$445,000.00</b>	<b>\$445,000.00</b>	<b>\$536,496.00</b>	<b>\$536,496.00</b>	<b>\$848,000.00</b>	<b>\$848,000.00</b>
<b>All Totals:</b>									
<b>Totals:</b>				<b>\$445,000.00</b>	<b>\$445,000.00</b>	<b>\$536,496.00</b>	<b>\$536,496.00</b>	<b>\$848,000.00</b>	<b>\$848,000.00</b>



Division of Public Works

# ABC Bid Data

CLAREMONT

81333RA

81333R

Item No.	Description	Unit	Quantity	PS&E		S & R CORPORATION 706 BROADWAY STREET LOWELL, MA 01854		Unit Price	Total
				Unit Price	Total	Unit Price	Total		

**Items**

901	REPLACE BOAT RAMP AND CONSTRUCT ADA LOADING PLATFORM PER PLANS AND SPECIFICATIONS	U	1.00	\$405,000.00	\$405,000.00	\$936,144.65	\$936,144.65		
902	ALLOWANCE FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	\$	40,000.00	\$1.00	\$40,000.00	\$1.00	\$40,000.00		
<b>Totals:</b>					\$445,000.00		\$976,144.65		
<b>Alt. Totals:</b>									
<b>Totals:</b>					\$445,000.00		\$976,144.65		



Division of Public Works

## PS&E Comparison

CLAREMONT

81333RA

81333R

Item No.	Description	Unit	Quantity	A-Bidder		PS&E		A-PS&E Difference
				Unit Price	Total	Unit Price	Total	
<b>Items</b>								
901	REPLACE BOAT RAMP AND CONSTRUCT ADA LOADING PLATFORM PER PLANS AND SPECIFICATIONS	U	1.00	\$472,100.00	\$472,100.00	\$405,000.00	\$405,000.00	\$67,100.00
902	ALLOWANCE FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	\$	40,000.00	\$1.00	\$40,000.00	\$1.00	\$40,000.00	\$0.00
<b>Total:</b>					\$512,100.00		\$445,000.00	\$67,100.00



Division of Public Works

# Bid Report

The undersigned, hereinafter referred to as principal or bidder, hereby proposes to furnish all materials and perform all labor necessary to complete the work described in the caption hereof, in accordance with the plans, current Standard Specifications, and special provisions, for the prices set for in the Total Bid. Failure to complete and submit this bid in its entirety or falsification of bid documents will result in the entire proposal being considered irregular and may be rejected by the Department of Administrative Services, Division of Public Works. Plans and specifications on this project cannot be transferred to any other firm or organization for the purpose of submitting a bid as a general contractor without the knowledge and authority of the department. Those who sign (manually and electronically) and the firm for which they are authorized to sign, do so under the penalty of perjury as specified by the laws of the United States and the State of New Hampshire.

Federal Contract Number: 81333RA CLAREMONT

## Contractor Profile

Firm	<b>BERG CONTRACTING &amp; CONSTRUCTION</b>
Contractor ID	<b>204935</b>
Address	<b>114 RHODODENDRON ROAD FITZWILLIAM NH 03447</b>
Phone	<b>(603)585-3483</b>
FAX	
E-Mail	<b>joel@bergcontracting.net</b>
Authorized Signature:	<i>Is/ Joel Berg</i>

## Bid Bond

Verified

Auth Code/Check#	<b>SNH11078153</b>
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## Receipt of Addenda

Sequence	Date	Yes
1	11/06/2023	Yes



**Department of Administrative Services, Division  
of Public Works**

Total Bid for Award Consideration

Proposal

**\$512,100.00**

**Contract Number:** 81333RA

**Bid Opening Date:** 15-Nov-2023

**Contract Name:** CLAREMONT

**Project Funding:** Federal

**Proposal For:** 204935 - BERG CONTRACTING &  
CONSTRUCTION

**Items**

Seq#	Item #	Description	Unit	Quantity	Unit Price	Extended Price
1	901	REPLACE BOAT RAMP AND CONSTRUCT ADA LOADING PLATFORM PER PLANS AND SPECIFICATIONS	U	1.000	\$472,100.00	\$472,100.00
2	902	ALLOWANCE FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	\$	40,000.000	\$1.00	\$40,000.00

**Total for Category Items \$512,100.00**

**Total Bid for Award Consideration \$512,100.00**

# Proposal

Proposal Of

BERG CONTRACTING & CONSTRUCTION  
114 RHODODENDRON ROAD, FITZWILLIAM NH, 03447

to furnish and deliver all materials and to perform all work in accordance with the Contract of the State of New Hampshire, Department of Administrative Services, Division of Public Works for which proposals will be received until 2:00:00 PM, Prevailing Time on Wednesday, November 15, 2023. Said project being situated as follows:

Ashley Ferry Boat Ramp Replacement

Department of Administrative Services, Division of Public Works  
John O. Morton Building  
P. O. Box 483  
Concord, NH 03302-0483

Commissioner:

In accordance with the advertisement of the Department of Administrative Services, Division of Public Works inviting proposals for the project hereinbefore named and in conformity with the Plans and Specifications on file in the office of the Department of Administrative Services, Division of Public Works, I/WE hereby certify that I AM/WE ARE the only person, or persons, interested in this proposal as principals; that this proposal is made without collusion with any person, firm or corporation; that an examination has been made of the Plans, of the Standard Specifications, of the Standard Plans Book, of the Proposal, and applicable addendums, including but not restricted to the Special Attentions, Supplemental Specifications, and Special Provisions attached thereto, and also that an examination has been made of the site of the work; and I, or we, propose to furnish all necessary machinery, equipment, tools, labor and other means of construction, and to furnish all materials specified in the manner and at the time prescribed; and understand that the quantities of work as shown herein are approximate only and are subject to increase or decrease; and further understand that all quantities of work whether increased or decreased are to be performed at the following prices:

I acknowledge, understand, and accept these terms and conditions.

Yes  No

Signature Is/ Joel Berg

## SIGN-FED

It is further proposed:

To execute the Contract and begin work within 10 days from the date specified in the "Notice to Proceed" and to prosecute said work so as to complete the Project and its appurtenances on or before October 30, 2024.

To furnish a Contract Bond in the amount of 100 per cent of the Contract award, as security for the construction and completion of the Project and its appurtenances in accordance with the Plans, Specifications and Contract. The Contractor's attention is called to section 103.05 of the Standard Specifications which reads, in part, as follows: "Unless specifically waived in the Proposal, upon execution of the Contract, the successful Bidder shall furnish the Department a surety bond or bonds equal to the sum of the Contract amount. The form of the bonds(s) shall be acceptable to the Department and the bonding Company issuing the bond(s) shall be licensed to transact business in the State of New Hampshire, and ..."

To certify that the Bidder, in accordance with the requirements of 103.06 and 108.01, intends to sublet, assign, sell, transfer or otherwise dispose of one or more portions of the work and (1) has contacted the appropriate listed disadvantaged businesses and afforded such disadvantaged businesses equal consideration with non-disadvantaged business for all work the Bidder currently proposes to sublet, assign, sell, transfer or otherwise dispose of, (2) may contact additional appropriate disadvantage businesses and will afford such businesses equal consideration with non-disadvantaged businesses for all work the Bidder in the future proposes to sublet, assign, sell, transfer or otherwise dispose of, and (3) will complete enclosed "DISADVANTAGED BUSINESS ENTERPRISE COMMITMENT FORM" and Letters of Intent for each disadvantaged business. The name of the person in the Bidder's organization who has been designated as the liaison officer to administer the disadvantaged business enterprise program is:

### BERG CONTRACTING & CONSTRUCTION

To guarantee all of the work performed under this Contract to be done in accordance with the Specifications and in good and workmanlike manner, and to renew or repair any work which may be rejected, due to defective materials or workmanship, prior to final completion and acceptance of the project.

Enclosed herewith find certified check or bid bond in the amount of 5% OF THE BID TOTAL made payable to the "Treasurer, State of New Hampshire," as a proposal guarantee which it is understood will be forfeited in the event the Contract is not executed, if awarded by the Department to the undersigned.

I acknowledge, understand, and accept these terms and conditions.

Yes  No

Signature *Is/ Joel Berg*

## Debarment, Suspension, and Others

### Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions.

(1). The prospective primary participant certifies to the best of its knowledge and belief, that it and all its principals: (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency; (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification and (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default. (2). Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

I acknowledge, understand, and accept these terms and conditions.

Yes  No

Signature Is/ Joel Berg

## Contract Affidavit

I/We declare under penalty of perjury under the laws of the United States and the State of New Hampshire that, in accordance with the provisions of Title 23 USC, Section 112(c), have not either directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this Proposal.

I acknowledge, understand, and accept these terms and conditions.

Yes  No

Signature Is/ Joel Berg







(Sole Proprietor)

**Sole Proprietor Certification of Authority**

I, Joel A. Belg, hereby certify that I am the Sole Proprietor  
(Name)  
of Berg Contracting and Construction which is a tradename registered with the Secretary of State  
(Name of Business)

under RSA 349. I certify that I am the sole owner of my business and of the tradename.

I further certify that it is understood that the State of New Hampshire will rely on this certificate as evidence that the person listed above currently occupies the position indicated and that they have full authority to bind the business. This authority shall remain valid for thirty (30) days from the date of this Corporate Resolution

DATED: 12.27.2023

ATTEST: \_\_\_\_\_

[Signature]  
(Name & Title)

owner

# 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 BERG CONTRACTING AND CONSTRUCTION is a New Hampshire Trade Name registered to transact business in New Hampshire on June 19, 2013. 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: 693361

Certificate Number: 0006550746



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 23rd day of January A.D. 2024.

A handwritten signature in black ink, appearing to read "David M. Scanlan".

David M. Scanlan  
Secretary of State