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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](mailto:Office@das.nh.gov)

Charles M. Arlinghaus  
Commissioner

Catherine A. Keane  
Deputy Commissioner

Sheri L. Rockburn  
Assistant Commissioner

July 2, 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 Advanced Excavating and Paving of Suncook NH, (VC# 158324), for invoices dated November 3, 2023 and April 1, 2024 totaling \$25,073.64 for paving services that were provided at 97 Pleasant Street and 36 Clinton Street in Concord, effective upon Governor and Council approval. **100% Transfer from Other Agencies.**

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

01-14-14-141510-16300000 – Health and Human Svcs Facilities	<u>FY2025</u>
048-500226 – Contractual Maint Build-Grn	\$25,073.64

## EXPLANATION

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

This request is **retroactive and sole source** because this arrangement did not follow proper procurement procedures related to purchasing. These two projects were completed, despite being inappropriately arranged, and the vendor ought to be paid for work completed.

In June of 2023, the Division of Plant and Property solicited and received three quotations for paving work to be done on the parking lot at the Thayer building and walkways between the Philbrook

building and New Hampshire Hospital. The quotations ranged from \$14,796 to \$27,780. A member of the facilities staff then engaged the contractor who provided the lowest quote but without a contract and without going to Governor and Council as required for work more than \$10,000. Following the engagement of the contractor, the staff member then approached another contractor with an active Governor and Council approved contract to have them serve as general contractor and engage the low bid paving contractor. Although that relationship was not finalized, our field staff was unaware and worked with the paving company to do the work. The paving project in December and the smaller sidewalk project in March are a combined total of more than \$25,000 and so exceeds the threshold for Governor and Council approval.

Training of staff on the Governor and Executive Council process will include the need for field staff and business staff to be in better communication and be mindful of the cumulative nature of the Council's thresholds.

Attached are copies of the invoices for the work Advanced Excavating and Paving performed.

Respectfully submitted,



Charles M. Arlinghaus  
Commissioner



# EXCAVATING & PAVING

PO BOX 581 • 186 GRANITE STREET • SUNCOOK, NH 03275

## Invoice

Date	Invoice #
11/3/2023	22589

Bill To
STATE OF NH DAS BFAM 25 CAPITOL STREET CONCORD NH 03301

Phone #	Fax #
6034859755	603-485-5579

Terms	Due Date
30 DAYS	12/3/2023

Date	Description	Quantity	Rate	Amount
10/17/23	PO 1094980 THAYER BUILDING Crushed gravel	230.23	18.00	4,144.14
	Fine grade	1	1,800.00	1,800.00
10/19/23	Machine pave binder to match existing	61.2	150.00	9,180.00
	Machine pave top to match existing	46.33	150.00	6,949.50

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<b>Total</b>	\$22,073.64
<b>Balance Due</b>	\$22,073.64



# Invoice

Date	Invoice #
4/1/2024	22842

Bill To
STATE OF NH DAS BFAM 25 CAPITOL STREET CONCORD NH 03301

Phone #	Fax #
6034859755	603-485-5579

Terms	Due Date
30 DAYS	5/1/2024

Date	Description	Quantity	Rate	Amount
10/19/23	PHILBROOK SIDEWALK Pave 3" binder on 180' X 4' sidewalk prepped by others	15	200.00	3,000.00

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<b>Total</b>	\$3,000.00
<b>Balance Due</b>	\$3,000.00