PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

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October 8, 2024

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

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority, Division of Ports and Harbors (the "Division") to **retroactively** amend Fiscal Committee item FIS 24-115, approved April 19, 2024, and Governor and Council item #76, approved May 1, 2024, to extend the end date from September 30, 2024 to June 30, 2025, effective upon Governor and Council approval for the period of October 1, 2024 through June 30, 2025. **100% Federal Funds.**

This is an allowable use of ARPA SFRF funds under Section 602(c)(1)(C) for provision of government services to the extent of the reduction in revenue.

EXPLANATION

The Division received ARPA funding approval of $1,000,000 for each task listed below for a total award of $2,000,000 to complete these projects:

- Portsmouth Fish Pier - costs of engineering study, design, permitting, and construction for a replacement building
- Rye Harbor Retail Platform - costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations

Since initial approval of this ARPA SFRF funds accept and expend, several issues have arisen with the Rye Harbor Retail Platform project ("Rye Project") that are likely to cause delays in the completion of the design through bidding portions of the Rye Project and the obligation of the funds. As a result of these issues, and the need to do additional work before any potential project advances at Rye Harbor, the Division, as directed by the Pease Development Authority Board of Directors ("PDA Board"), does not intend to move this project forward at this time.

Alternatively, the Portsmouth Fish Pier Building Project ("PFP Project") is currently in the Final Design phase and planned to be available for bidding on or around October 4th, with a planned contract award before the end of the year.

On September 24, 2024 the Division submitted a "write-down" request to return the unexpended Rye Project ARPA Funds, in the amount of $826,722 to the State, and this budget adjustment request has been processed.

Below is an outline of the financials summary:

03-13-013-130510-28030000 – ARPA Portsmouth/Rye Projects				
FY 2025				
Class - Account	**Class Title**	**Current Modified Budget**	**Increase (Decrease) Amount**	**Revised Modified Budget**
Revenue				
000-400338-16	Federal Fund	$2,000,000	($826,722)	$1,173,278
	Total Revenue	**$2,000,000**	**($826,722)**	**$1,173,278**
Expense				
040-500800	Indirect Costs	$5,000	($2,500)	$2,500
041-500801	Audit Fund Set Aside	$1,994	($997)	$997
103-502664	Contracts for Op Svcs	$1,993,006	($823,225)	$1,169,781
	Total Expense	**$2,000,000**	**($826,722)**	**$1,173,278**

Based on the foregoing, the Division respectfully requests that the end date for the ARPA Funding described above be extended to June 30, 2025.

Fiscal Committee approved an amendment extending the end date to June 30, 2025, at the August 16, 2024 meeting, item FIS 24-272, prior to reducing the funds. This item seeks Governor and Council approval post the write-down request so the Division can continue with the remaining PFP Project.

The end date extension requested will allow the Division to bid the Portsmouth Project and, after completing the bid review and approval process, obligate the ARPA funds between November 14 and December 2, 2024.

Respectfully submitted,

Paul E. Brean
Executive Director, Pease Development Authority

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FIS 24 272

Fiscal Committee approval 08/16/2024

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

July 31, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

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

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority, Division of Ports and Harbors (the "Division") to amend Fiscal Committee item FIS 24-115, approved April 19, 2024, and Governor and Council item #76, approved May 1, 2024, to extend the end date from September 30, 2024 to June 30, 2025, effective upon Fiscal Committee and Governor and Council approval through June 30 2025. **100% Federal Funds.**

This is an allowable use of ARPA SFRF funds under Section 602(c)(1)(C) for provision of government services to the extent of the reduction in revenue.

EXPLANATION

The Division received ARPA funding approval of $1,000,000 for each task listed below for a total award of $2,000,000 to complete these projects:

- Portsmouth Fish Pier - costs of engineering study, design, permitting, and construction for a replacement building
- Rye Harbor Retail Platform - costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations

The end date extension requested will allow the Division to bid these projects (bid opening is anticipated October 5, and October 17, 2024, respectively) and, after completing the bid review and approval process, obligate the ARPA funds between November 14 and December 2, 2024. This extension, if authorized, will have no impact on cost or funding accounts.

Respectfully submitted,

Paul E. Brean
Executive Director

FIS 24 115

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

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

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		$0	$2,000,000	$2,000,000
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		$0	$2,000,000	$2,000,000

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

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Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos