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State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street
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

December 17, 2024

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Administrative Services, Division of Public Works Design and Construction to enter into a **Retroactive, Sole Source** amendment to an existing contract with Triple Construction, LLC. (VC#395282), Hudson, New Hampshire by increasing the price limitation by $35,970.00 from $553,142.00 to a total price not to exceed $589,112.00 and by extending the completion date from June 24, 2024, to February 1, 2025, for Project Number 81242-B Philbrook Sewer Line Replacement, Concord, New Hampshire. This contract is effective retroactive to June 24, 2024, upon Governor and Council approval through February 1, 2025, unless extended in accordance with the contract terms. The original contract was approved by Governor and Council on November 29, 2023, Item #157. **100% Federal Funds.**

Funding is available in account titled Department of Human and Health Services as follows:

	FY 2025
05-95-95-953010-56850000 Management Support	
103-500737 – Contract Repairs; Machine, Equip	$ 35,970.00

EXPLANATION

This contract amendment is listed as a **Sole Source** because the completion date is being extended with additional funding. The contract is **Retroactive** because it was discovered after the contract ended that there were additional sewer lines that needed to be connected to the new sewer system, and work has been completed.

The purpose of this amendment is to connect additional unknown sewer lines into the new sewer system that were discovered after the project had been completed. After the contract work was completed, several other pipes were found deeper in the ground consisting of drainage and sewer pipes that were still

in service. These additional sewer pipes needed to be connected into the new system and the old lines terminated.

After additional work by Rowell's pipe cleaning and locating company had located the additional piping, it was determined that there was older piping that was still in service and therefore the Contractor would have to excavate deeper to locate the pipes and reconnect the ones still in service and terminate those that were no longer being used.

The work to connect the additional sewer lines is necessary because leaving the remaining lines in place would continue to create the potential for sewage backups into the building and the work would be considered not complete with the city permitting.

Retroactive approval of this amendment is necessary because the additional sewer lines had been exposed and were left open to the elements including freezing temperatures, potentially creating further problems with the sewer system and continued backups into the building creating additional costs for the State.

The amendment 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 agreement 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

The contract increase is identified as follows:

Current Contract Amount:	$	553,142
Amendment:	$	35,970
New Contract Total:	$	589,112

AMENDMENT TO 81242 Contract B
Philbrook Sewer Line Replacement

This AMENDMENT TO THE CONTRACT ("Amendment") is entered into this 5th day of December, 2024, by and between the State of New Hampshire, acting by and through the Commissioner, Department of Administrative Services (hereinafter "State," "Commissioner," "Department" respectively) and Triple Construction, LLC (hereinafter "Contractor") (the State and the Contractor may hereinafter singularly and/or collectively be referred to as "Party" or "Parties").

WHEREAS, in May 2023, the State held a public opening for competitive bids on Project 81242 Contract B ("Project 81242-B), which called to replace the existing sewer line beginning from under the Philbrook Building to the City's main sewer line. One (1) bid proposal was received.

WHEREAS, on September 28, 2023, pursuant to the approval of the New Hampshire Governor and Council, the Parties entered into a contract for the Philbrook Building Sewer Line Replacement, Project 81242, Contract B ("Contract").

WHEREAS, on November 29, 2023, New Hampshire Governor and Council approved the Contract (Item # 157).

WHEREAS, the original contract has a not-to-exceed amount of $553,142. The original completion date has been amended per the terms of the contract to a completion date of June 24, 2024.

WHEREAS, the Contractor has been hired to work on the Philbrook Sewer Line Replacement for the State under the Contract, the total fees of which have reached the not-to-exceed amount of $553,142.

WHEREAS, the Agreement is based on the scope required to complete the replacement of the existing sewer line which runs through the Philbrook building by constructing new sewer lines from the building to a main line outside, and reconnecting to the City's sewer system.

WHEREAS, the Contractor is currently mobilized at Philbrook Building in Concord completing work under the Contract.

WHEREAS, the Parties desire for these additional improvements to be completed by the Contractor.

NOW THEREFORE, the Parties mutually agree to amend Contract as follows:

1. The scope of Work under the Contract shall be increased to include the work as set forth herein. These include:
    a. connect additional unknown sewer lines into the new sewer system that were discovered after the project had been completed. After the contract work was

completed, several other pipes were found deeper in the ground consisting of drainage and sewer pipes that were still in service. These additional sewer pipes needed to be connected into the new system and the old lines terminated.

2. The Contractor agrees to receive, and the State agrees to pay, as full compensation for the Philbrook Building Sewer Line Replacement, the prices set forth in Alteration Order #3 dated December 3, 2024, 2024 attached hereto as **Exhibit A,** totaling the sum of thirty-five thousand nine hundred seventy dollars ($35,970).

3. The Contractor agrees to perform the work in accordance with all terms of this Amendment and the Contract.

4. Contractor covenants and agrees that the materials shall be furnished and delivered and all labor under this Amendment shall be performed in every respect to the satisfaction and approval of the Commissioner on or before: February 1, 2025.

5. Except to the extent specifically set forth herein, this Amendment does not alter the terms of the Contract. All terms of the Contract remain in full force and effect.

6. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to them in the Contract.

7. This Amendment and all obligations of the Parties are contingent upon appropriate State approval.

IN WITNESS WHEREOF, the Parties hereto have set their hands the date first-written above.

CONTRACTOR:
TRIPLE CONSTRUCTION, LLC.

DATED: 12.5.24 BY: _____
Name: Kevin Cormier
Title: Member

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES

DATED: 12/17/2024 BY: _____
Name: Lori Weaver
Title: Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES:

DATED: 12-18-24 BY: _____
Name: Charlie M. Arlinghaus
Title: Commissioner

ATTORNEY GENERAL:

This is to certify that the above contract Increase has been reviewed by this office And is approved as to form and execution.

DATED: 12/20/2024 BY: _____
Assistant Attorney General

SECRETARY OF STATE:

This is to certify that the Governor and Council approved this contract agreement/ Amendment.

DATED: _____ BY: _____
Secretary of State

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PUBLIC WORKS DESIGN & CONSTRUCTION

PROJECT NO.	81242 Contract B	**ALTERATION ORDER NO.**	3
		APPROPRIATION ACCOUNT NO.	
		CONTRACT NO.	1097009-1&2, 700364
Date	11/27/24	**CONTINGENCY NO.**	
Vendor No.	395282 P/P001		

TO: Triple Construction LLC, 217 Daniel Webster Highway, Merrimack NH 03054

In Connection With Your Contract Dated 11/29/2023 For Philbrook Bldg - Sewer Line Replacement, Concord, NH

You are authorized to make the following changes in the Contract:

1	Increase the contract by $35,970.00 to make allowance #2 for additional sewer line work.	$35,970.00
2	The new contract amount is $589,112.00	
	All other terms and conditions of the Contract remain the same.	
		$35,970.00

ACCEPTED BY: Date: 12/2/24 APPROVED BY:

Triple Construction LLC

Theodore Kupper, P.E.
Administrator
Division of Public Works Design & Construction

CHARLES M. ARLINGHAUS
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PUBLIC WORKS DESIGN & CONSTRUCTION

STIPULATED SUM CHANGE ORDER
GENERAL CONTRACTOR FORM

Date: November 5, 2024 ***Number:*** 9-Connect F line to new B+C line and and connect to existing SDR between SMH and Pump Station

Project Title: Philbrook Building Sewer Line Replacement
Project Number: 81242 ***Contract:*** B

Labor:

DESCRIPTION OF LABOR INVOLVED		TOTALS
Labor Costs shall include Worker's Compensation & Employee Liability, and Unemployment and Social Security Taxes.	SUBTOTAL	$ 0.00
	(General Contractor) + 20%	$ 0.00
	GENERAL CONTRACTOR LABOR TOTAL	**$ 0.00**

Material: (provided by General Contractor)

DESCRIPTION OF MATERIAL INVOLVED	TOTALS
	$0.00
SUBTOTAL	$ 0.00
(General Contractor) + 10%	$ 0.00
GENERAL CONTRACTOR MATERIAL TOTAL	**$ 0.00**

Equipment: (provided by General Contractor, attach rental quotes/rates)

DESCRIPTION OF EQUIPMENT TO BE USED		TOTALS
		$0.00
Reimbursement Only for Rental Equipment @ actual cost, no mark-up is allowed.	SUBTOTAL	$ 0.00
	GENERAL CONTRACTOR EQUIPMENT TOTAL	**$ 0.00**

John O. Morton Building • 7 Hazen Drive, Room 250 • POB 483 • Concord, New Hampshire 03302-0483
Telephone: 603-271-3516 • Fax: 603-271-3515 • TDD: 1-800-735-2964
http://das.nh.gov/publicworks

Subcontractor: (Attach subcontractors' quote)

SUBCONTRACTOR NAME & TRADE INVOLVED		TOTALS
Integrated Excavation		$10,200.00
		$0.00
		$0.00
		$0.00
All Subcontractors are allowed a 20% mark-up on their labor, 10% mark-up on materials, and 10% mark-up on any subcontractors that they may hire.	SUBTOTAL	$10,200.00
	(General Contractor) + 10%	$1,020.00
	SUBCONTRACTOR TOTAL	**$11,220.00**

Summary of Costs:

LABOR / MATERIAL / EQUIPMENT / SUBCONTRACTOR	$11,220.00
GRAND TOTAL	**$11,220.00**

Approval:

	SIGNATURE	DATE
Using Agency Representative	Tammy Nelson Digitally signed by Tammy Nelson Date: 2024.11.14 13:19:41 -05'00'	
Contract Administrator or Clerk of the Works	Scott Carri [illegible]	
Contractor Representative	[signature]	11/5/24

INTEGRATED
Excavation Division

To: Triple Construction
3 Security Drive
Hudson, NH 03051

Attn: Al Guilbeault & Scott Launier

Project Name: Philbrook Building Sewer Line Replacement

Project Location: 121 South Fruit Street, Concord, NH 03301

Date: November 5, 2024

Description of works: CHANGE ORDER

1. CONNECT F LINE TO NEW B/C LINE AND CONNECT TO EXISTING SDR BETWEEN SMH AND PUMP STATION

    a. 8" pipe fittings - $1,400
    b. Stone - $450
    c. Mini Excavator 80 (14 hours) - $3,150
    d. Skidsteer (12 hours) - $2,700
    e. Trench box Del - $700
    f. Trench Box - $1,800

Total $10,200.00

ACCEPTED:	**CONFIRMED:**
The above prices, specifications and conditions are satisfactory and hereby accepted.	INTEGRATED SITE AND EXCAVATING, LLC
Name: _____	Authorized signature: _____
Signature: _____	Estimator: Michael Halliday
Date of Acceptance: _____	

INTEGRATED SITE AND EXCAVATING LLC
41 WEARE ROAD
HAMPTON FALLS, NH 03844

CHARLES M. ARLINGHAUS
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PUBLIC WORKS DESIGN & CONSTRUCTION

STIPULATED SUM CHANGE ORDER
GENERAL CONTRACTOR FORM

Date: October 8, 2024 ***Number:*** 8-Connect B+C line and Roof drain Change

Project Title: Philbrook Building Sewer Line Replacement
Project Number: 81242 ***Contract:*** B

Labor:

DESCRIPTION OF LABOR INVOLVED		TOTALS
Labor Costs shall include Worker's Compensation & Employee Liability, and Unemployment and Social Security Taxes.	SUBTOTAL	$ 0.00
	(General Contractor) + 20%	$ 0.00
	GENERAL CONTRACTOR LABOR TOTAL	**$ 0.00**

Material: (provided by General Contractor)

DESCRIPTION OF MATERIAL INVOLVED	TOTALS
	$0.00
SUBTOTAL	$ 0.00
(General Contractor) + 10%	$ 0.00
GENERAL CONTRACTOR MATERIAL TOTAL	**$ 0.00**

Equipment: (provided by General Contractor, attach rental quotes/rates)

DESCRIPTION OF EQUIPMENT TO BE USED		TOTALS
		$0.00
Reimbursement Only for Rental Equipment @ actual cost, no mark-up is allowed.	SUBTOTAL	$ 0.00
	GENERAL CONTRACTOR EQUIPMENT TOTAL	**$ 0.00**

John O. Morton Building • 7 Hazen Drive, Room 250 • POB 483 • Concord, New Hampshire 03302-0483
Telephone: 603-271-3516 • Fax: 603-271-3515 • TDD: 1-800-735-2964
http://das.nh.gov/publicworks

Subcontractor: (Attach subcontractors' quote)

SUBCONTRACTOR NAME & TRADE INVOLVED		TOTALS
Integrated Excavation		22500
		$0.00
		$0.00
		$0.00
All Subcontractors are allowed a 20% mark-up on their labor, 10% mark-up on materials, and 10% mark-up on any subcontractors that they may hire.	SUBTOTAL	$22,500.00
	(General Contractor) + 10%	$2,250.00
	SUBCONTRACTOR TOTAL	**$24,750.00**

Summary of Costs:

LABOR / MATERIAL / EQUIPMENT / SUBCONTRACTOR	$24,750.00
GRAND TOTAL	**$24,750.00**

Approval:

	SIGNATURE	DATE
Using Agency Representative	Tammy Nelson Digitally signed by Tammy Nelson Date: 2024.10.11 10:44:01 -04'00'	
Contract Administrator or Clerk of the Works	Scott Carri [illegible]	
Contractor Representative	[illegible]	10/8/24

INTEGRATED
Excavation Division

EXCLUSIONS:

- ***Geo technical services***
- ***Engineering***
- ***Permits and fees***
- ***Performance Bond***
- ***Trouble shooting***
- ***Jetting***
- ***Camera Inspection***
- ***Settlement***
- ***Retainage***
- ***Dewatering for others***
- ***SWPPP***
- ***Bacteria test***
- ***Asbestos abatement or any contaminated materials***
- ***Initial control points / limits***
- ***Integrated not responsible for E Line issues once capped***

NOTES:

ACCEPTED:	**CONFIRMED:**
The above prices, specifications and conditions are satisfactory and hereby accepted.	INTEGRATED SITE AND EXCAVATING, LLC
Name: _____	Authorized signature: _____
Signature: _____	Estimator: Michael Halliday
Date of Acceptance: _____	

INTEGRATED SITE AND EXCAVATING LLC
41 WEARE ROAD
HAMPTON FALLS, NH 03844

INTEGRATED
Excavation Division

To: Triple Construction
3 Security Drive
Hudson, NH 03051

Attn: Al Guilbeault & Scott Launier

Project Name: Philbrook Building Sewer Line Replacement

Project Location: 121 South Fruit Street, Concord, NH 03301

Date: October 8, 2024

Description of works:

B Wing

- Intercept 6" SDR outside the loading dock and tie into existing 2' DI @ minimal slope.
- Backfill and gravel with existing soils. Compact and patch pavement.

C Wing

- Connect B + C Line into existing 6" sewer between SMH 1 and pump station.
- 1% max slope with cleanout.
- Cap and abandon sewer line D.
- Backfill and loam with existing soils.
- Hand seed.

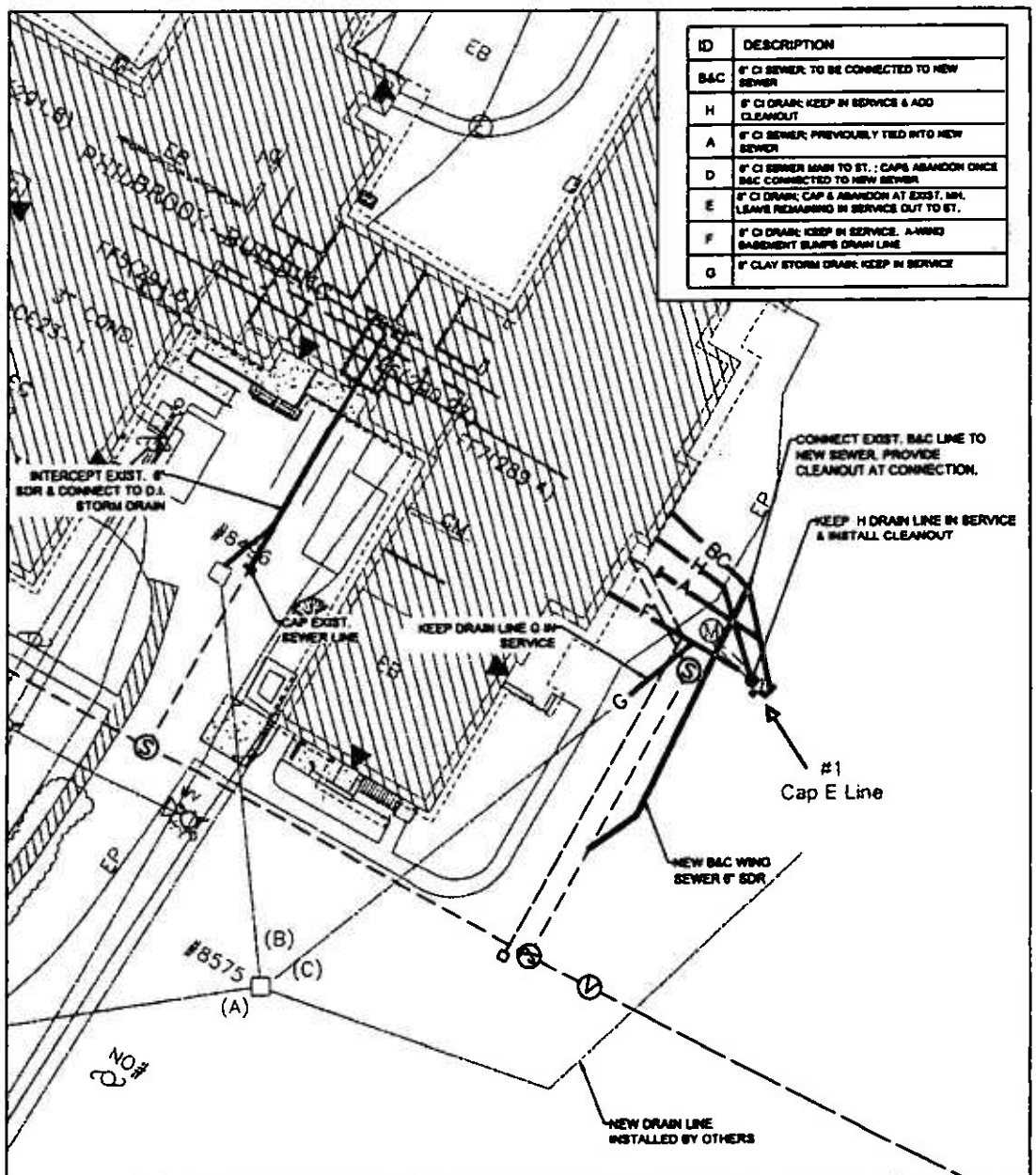
E Line

- Cap E Line as shown on on attached sketch #1

Total $22,500.00

INTEGRATED SITE AND EXCAVATING LLC
41 WEARE ROAD
HAMPTON FALLS, NH 03844

INTEGRATED
Excavation Division



Division of Public Works
Seven Hazen Drive
Concord, NH 03302
Tel. (603) 271-3516
Fax. (603) 271-3515

PHILBROOK CENTER SEWER WORK
121 SOUTH FRUIT STREET

SEWER AMENDMENT WORK

DRAWN BY: SAC | SCALE: 1"=30' | DATE: 9-30-24

PROJECT No. 81242
CONTRACT 8
SK-01
REVISION: △

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PUBLIC WORKS DESIGN & CONSTRUCTION

PROJECT NO.	81242 Contract B	**ALTERATION ORDER NO.**	2
		APPROPRIATION ACCOUNT NO.	
		CONTRACT NO.	1097009-1&2, 700364
Date	11/25/24	**CONTINGENCY NO.**	
Vendor No.	395282 P/P001		

TO: Triple Construction LLC, 217 Daniel Webster Highway, Merrimack NH 03054

In Connection With Your Contract Dated 11/29/2023 For Philbrook Bldg - Sewer Line Replacement, Concord, NH

You are authorized to make the following changes in the Contract:

1 Extend the contract completion date from June 24, 2024, to February 1, 2025, per Triple Construction, LLC letter dated November 20, 2024.

All other terms and conditions of the Contract remain the same.

ACCEPTED BY: Date: 11/26/24 APPROVED BY:

Triple Construction LLC

Theodore Kupper, P.E.
Administrator
Division of Public Works Design & Construction

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PUBLIC WORKS DESIGN & CONSTRUCTION

PROJECT NO.	81242 Contract B	**ALTERATION ORDER NO.**	1
		APPROPRIATION ACCOUNT NO.	
		CONTRACT NO.	
Date	1/4/24	**CONTINGENCY NO.**	
Vendor No.	395282 B001		

TO: Triple Construction LLC, 5 Executive Drive Suite 3, Hudson NH 03051

In Connection With Your Contract Dated 11/29/2023 For Philbrook Bldg - Sewer Line Replacement, Concord, NH

You are authorized to make the following changes in the Contract:

1 Extend the contract completion date from 12/1/2023 to 6/24/2024, per Triple Construction, LLC letter dated December 28, 2023.

All other terms and conditions of the Contract remain the same.

ACCEPTED BY: Date: 1/5/24

APPROVED BY:

Triple Construction LLC

Theodore Kupper, PE

Theodore Kupper, P.E.
Administrator
Division of Public Works Design & Construction

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 TRIPLE CONSTRUCTION, LLC is a New Hampshire Limited Liability Company registered to transact business in New Hampshire on January 07, 2016. 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: **737136**

Certificate Number: **0006656768**

IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 2nd day of April A.D. 2024.

David M. Scanlan

Secretary of State

CERTIFICATE OF AUTHORITY

I, Gino Bernard, **hereby certify** that I am a Member or

Manager of Triple Construction, LLC a limited liability company under
(Name of LLC)

RSA 304-C.

VOTED: That Kevin Cormier, Member is duly authorized to enter
(Name and Title)

into contracts or agreements on behalf of Triple Construction, LLC with
(Name of LLC)

the State of New Hampshire and any of its agencies or departments; and further, is authorized to execute any documents which may, in his judgment, be desirable or necessary to effect the purpose of this vote.

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 LLC and that this authorization **shall remain valid for thirty (30)** days from the date of this Corporate Resolution.

DATED: December 3, 2024

ATTEST: _____
(Name and Title)
Gino Bernard, Member

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 12/04/2024

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
King Insurance Partners, LLC
40 Stark St
Manchester NH 03101

CONTACT NAME: Karen Case
PHONE (A/C, No, Ext): (603) 606-5157 FAX (A/C, No):
E-MAIL ADDRESS: Karen.Case@king-insurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Cincinnati Insurance Company	10677
INSURER B: Allied Eastern Indemnity Company	11242
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Triple Construction LLC
237 Daniel Webster Hwy
Merrimack NH 03054-4807

COVERAGES **CERTIFICATE NUMBER:** CL2471857241 **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 [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC [ ] OTHER:	Y		EPP 0713998	04/28/2024	04/28/2025	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
A	AUTOMOBILE LIABILITY [X] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY	Y		EPP 0713998	04/28/2024	04/28/2025	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
A	[X] UMBRELLA LIAB [X] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $	Y		EPP 0713998	04/28/2024	04/28/2025	EACH OCCURRENCE	$ 5,000,000
							AGGREGATE	$ 5,000,000
								$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [Y] If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		0000118851	07/17/2024	07/17/2025	[X] PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

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

Project : Philbrook /Concord Project 81242B The State of NH Department of Administrative Services, City of Concord, NH and any and all subcontractors as the named insured. The State, its agencies, and its agents, and amployees are additional insured as respects GL as required by written contract. Waiver of subrogation applies where permitted by state law. Work performed during the policy period: Carpentry. Workers' compensation coverage applies in NH, MA & ME. Kevin Cormier is excluded from the workers' compensation coverage.

CERTIFICATE HOLDER

State of New Hampshire c/o Department of Administrative Services
7 Hazen Drive room 250
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

Karen Case

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MLC

State of New Hampshire

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

157

Charles M. Arlinghaus
Commissioner

Catherine A. Keane
Deputy Commissioner

Sheri L. Rockburn
Assistant Commissioner

September 26, 2023

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 Triple Construction, LLC (VC #395282), Hudson, New Hampshire, for a total price not to exceed $553,142 for Project Number 81242-B Philbrook Building Sewer Line Replacement, Concord, New Hampshire. This contract is effective upon Governor and Council approval through December 1, 2023, unless extended in accordance with the contract terms. **46% Capital Funds 38% Other Funds 16% General Funds**

2) Further authorize the amount of $18,500 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 $571,642. **29% General Funds 71% Other Funds.**

Funding is available in account titled Department of Human and Health Services as follows:

	FY 2024
05-95-94-940030-77290000-L23:14-11-Phlbrk Swr Ln Rplmn	
034-500161 – New Construction	$ 256,200
05-95-94-940010-87500000 Acute Psychiatric Services	
103-500736 – New Construction	$ 200,000
048-500226 – New Construction	$ 96,942
048-500226 – DPW Fees	$ 18,500
Grand Total	**$ 571,642**

EXPLANATION

Pursuant to Chapter 107:1, I, B, 3, Laws of 2021, as amended by Chapter 113:14, Laws of 2023, funds are available to replace the sewer line beginning from under Philbrook Building to the City's main sewer line. This project will replace the existing sewer line which runs through the Philbrook building by constructing new sewer lines from the building to a main line outside, and reconnecting to the City's sewer system.

The sewer line that currently runs under the building foundation slab has sagged over time, which has caused backups and continual maintenance issues. Additionally, the clay sewer pipe from the building to the City sewer line is damaged in several areas, exacerbating the backups. On several occasions, the sewer effluent has overflowed into the building, causing costly damage and disturbance to the building occupants. To prevent sewage backups from reoccurring, the Department of Health and Human Services hires a contractor on a regular basis to clean out the lines.

A public bid opening was held on May 10, 2023. One (1) bid proposal was received and the contract was awarded to the lowest qualified bidder. The low bid was 18% over the Department estimate. The estimate for some of the work may not have accurately reflected the continued rising costs within the industry for building material and labor.

The agreement 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 agreement 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:	$ 470,000
Low bid:	$ 553,142
Under estimate:	$ 83,142

ABC Bid Data

CONCORD
81242B
NON-FEDERAL

PROJECT:	CONCORD	Awarded To:			
STATE PROJECT NUMBER:	81242B				
FED. PROJECT NUMBER:	NON-FEDERAL				
DATE BIDS OPEN:	May 03, 2023, 2:00 PM				
SCOPE OF WORK:	PHILBROOK BUILDING SEWER LINE REPLACEMENT	Amount:	$0.00	Certified by:	
COMPLETION DATE:	December 01, 2023	Award Date:			Director of Project Development
LOCATION:	Merrimack				

Summary of Bidders

Contractor	Bid Amount	Rank
TRIPLE CONSTRUCTION LLC 5 EXECUTIVE DRIVE SUITE 3, HUDSON NH 03051	$553,142.00	A

Award to: Triple Construction, LLC
Contract Amount: $553,142.00, no Alternates
Using Agency: HHS
Authorized by: MLJ
Date: 6/2/23

Michelle L. Juliano

ABC Bid Data

Division of Public Works

CONCORD
81242B
NON-FEDERAL

Item No.	Description	Unit	Quantity	PSAE Unit Price	PSAE Total	TRIPLE CONSTRUCTION LLC 5 EXECUTIVE DRIVE SUITE 3 HUDSON, NH 03051 Unit Price	Total	Unit Price	Total
Items									
901	A-WING SEWER LINE REPLACEMENT	U	1.00	$90,000.00	$90,000.00	$138,664.00	$138,664.00		
902	B-WING SEWER LINE REPLACEMENT	U	1.00	$125,000.00	$125,000.00	$166,424.00	$166,424.00		
903	C-WING SEWER LINE REPLACEMENT	U	1.00	$215,000.00	$215,000.00	$208,054.00	$208,054.00		
904	ALLOWANCE #1 FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	$	40,000.00	$1.00	$40,000.00	$1.00	$40,000.00		
			Totals:		$470,000.00		$553,142.00		
			Alt. Totals:						
			Totals:		$470,000.00		$553,142.00		

PS&E Comparison

CONCORD
81242B
NON-FEDERAL

				A-Bidder		PS&E		
Item No.	Description	Unit	Quantity	Unit Price	Total	Unit Price	Total	A-PS&E Difference
Items								
901	A-WING SEWER LINE REPLACEMENT	U	1.00	$138,664.00	$138,664.00	$90,000.00	$90,000.00	$48,664.00
902	B-WING SEWER LINE REPLACEMENT	U	1.00	$166,424.00	$166,424.00	$125,000.00	$125,000.00	$41,424.00
903	C-WING SEWER LINE REPLACEMENT	U	1.00	$208,054.00	$208,054.00	$215,000.00	$215,000.00	($6,946.00)
904	ALLOWANCE #1 FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	$	40,000.00	$1.00	$40,000.00	$1.00	$40,000.00	$0.00
	Total:				$553,142.00		$470,000.00	$83,142.00

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.

State Contract Number: 81242B CONCORD

Contractor Profile

Firm	TRIPLE CONSTRUCTION LLC
Contractor ID	395282
Address	5 EXECUTIVE DRIVE SUITE 3 HUDSON NH 03051
Phone	(603)318-7280
FAX	
E-Mail	mbrockelman@triple-construction.com
Authorized Signature:	/s/ Mark Brockelman

Bid Bond Verified

Auth Code/Check#	SNH05037438

Receipt of Addenda

Sequence	Date	
1	04/25/2023	Yes

Department of Administrative Services, Division of Public Works

Proposal

Total Bid for Award Consideration

$553,142.00

Contract Number: 81242B

Bid Opening Date: 03-May-2023

Contract Name: CONCORD

Project Funding: State

Proposal For: 395282 - TRIPLE CONSTRUCTION LLC

Items

Seq#	Item #	Description	Unit	Quantity	Unit Price	Extended Price
1	901	A-WING SEWER LINE REPLACEMENT	U	1.000	$138,664.00	$138,664.00
2	902	B-WING SEWER LINE REPLACEMENT	U	1.000	$166,424.00	$166,424.00
3	903	C-WING SEWER LINE REPLACEMENT	U	1.000	$208,054.00	$208,054.00
4	904	ALLOWANCE #1 FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	$	40,000.000	$1.00	$40,000.00

Total for Category Items **$553,142.00**

Total Bid for Award Consideration **$553,142.00**

Proposal

Proposal Of

TRIPLE CONSTRUCTION LLC
5 EXECUTIVE DRIVE SUITE 3, HUDSON NH, 03051

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, May 3, 2023. Said project being situated as follows:

PHILBROOK BUILDING SEWER LINE 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 /s/ Mark Brockelman

SIGN-STATE

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 December 01, 2023.

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 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 /s/ Mark Brockelman