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

Charles M. Arlinghaus  
Commissioner

Catherine A. Keane  
Deputy Commissioner

Sheri L. Rockburn  
Assistant Commissioner

May 30, 2025

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

## REQUESTED ACTION

Authorize the Division of Public Works Design and Construction to enter into a **Sole Source** amendment to an existing contract with Busby Construction Co., Inc. (VC#155275), Atkinson, New Hampshire by increasing the price limitation by \$158,100.00 for a total price not to exceed \$844,968.00 for Project Number 81329R-B Twitchell Road Reconstruction, Concord, New Hampshire. This contract is effective upon Governor and Council approval through December 1, 2025, unless extended in accordance with the contract terms. The original contract was approved by Governor and Council on August 30, 2024, Item #191. **100% Capital Funds.**

Funding is available in account titled Department of Administrative Services, as follows:

	<u>FY 2025</u>
01-14-14-144030-16510000 L23:1IB4-Stwd Prk Lot Rpr&Pvg	
034-500157 – Land Improvements	\$ 58,100.00
034-500157 – Land Improvements - Allowance	<u>\$ 100,000.00</u>
<b>Grand Total</b>	<b>\$ 158,100.00</b>

## EXPLANATION

This request is a **Sole Source** because the amendment is more than 10% of the original contract. This amendment is for additional work required to install the sewer line from North Pavilion building to the city's sewer main located in Pleasant Street. The sewer work includes permits with the city, traffic control during the work and extended sewer line to go into the street to connect to the main. The sewer line work will be constructed to meet all the city requirements. The amendment also includes funds to cover additional items that are expected to be uncovered, such as poor subgrade conditions, requiring more structural fill material, new sewer manhole structure, and additional excavation and backfilling to remove unwanted utilities left abandon within the project area.

The additional sewer work to connect the North Pavilion building sewer line is necessary because the existing line now connects to the neighboring building's sewer line and through that building's sewer connection to the city's main, which was done as an emergency only years ago and should have been reconstructed at a later time but had not yet been done.

The original sewer connection work in this contract was designed to connect to an existing city sewer main connection on state property which was thought to be available, however during construction it was found to be already taken and in service by the adjacent building. When asking the city on what needed to be done, they required that a new sewer line connection be made in Pleasant Street where the sewer main is located. This requires the contractor to get additional permits, provide traffic control and detouring as well as limited working hours in the street where they will be excavating around other utilities in the street which cannot be located until the excavation happens.

In addition to the sewer work, we are requesting additional allowance funds because the original allowance has been exhausted due to unforeseen conditions such as adding a new waterline gate valve, removing abandon utilities, and new requirements for the three bioretention ponds for the stormwater permit. The new allowance funds will cover unanticipated conflicts without delay. The funds will be used for additional structural fill to replace sections of the original road base material that is believed to be inadequate and would lead to early pavement failure if not replaced now. There are also additional areas of abandoned utilities that need to be removed and replaced with structural fill within the project area as well as replacement of several sewer and drain manholes that were thought to be adequate, but upon further inspection should be replaced.

The contractor has been pre-qualified by the Department of Transportation. The contract 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 contract are on file with 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:	\$ 686,868.00
Amendment#3:	<u>\$ 158,100.00</u>
New Contract Total:	\$ 844,968.00

**AMENDMENT TO 81329R Contract B**  
**ARPA - Twitchell Rd Reconstruction**

This AMENDMENT TO THE CONTRACT (“Amendment”) is entered into this 29 day of May 2025, by and between the State of New Hampshire, acting by and through the Commissioner, Department of Administrative Services (hereinafter “State,” “Commissioner,” “Department” respectively) and Busby Construction Co., Inc. (hereinafter “Contractor”) (the State and the Contractor may hereinafter singularly and/or collectively be referred to as “Party” or “Parties”).

WHEREAS, in May 2024, the State received competitive proposals on Project 81329R Contract B (“Project 81329R-B), which called for rehabilitating the existing Twitchell roadway at the South Office Park South Campus, in Concord, NH. The work included reclaiming and paving the existing road and formalizing the parking areas that run along the edge of the roadway. The project also included replacing the existing drainage system and installing new site lighting repair. One (1) bid proposal was received, and the contract was awarded to the qualified bidder.

WHEREAS, on May 28, 2024, pursuant to the approval of the New Hampshire Governor and Council, the Parties entered into a contract for the ARPA Twitchell Road Reconstruction, Project 81329R, Contract B (“Contract”).

WHEREAS, on August 30, 2024, New Hampshire Governor and Council approved the Contract (Item # 191).

WHEREAS, the original not-to-exceed amount of \$686,868.00 has been amended per the terms of the contract to a not-to-exceed amount of \$844,968.00.

WHEREAS, the Contractor has been hired to work on the Twitchell Road Reconstruction in Concord, for the State under the Contract, the total fees of which have reached the not-to-exceed amount of \$686,868.00.

WHEREAS, the Agreement is based on the scope required to complete the additional sewer work to connect the North Pavilion building sewer line.

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. Sanitary Sewer Connection. Open cut roadway, install service, backfill, patch, mill and overlay.
  - b. Service pipe, wye fittings, mechanical connections per City, gravel, stone, sand and pavement for patching.
  - c. Excavator and loader operators, tri-axles drivers, foreman, and laborers.

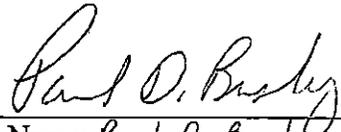
Amend the not-to-exceed fee of \$686,868.00 to \$844,968.00, as full compensation for the combined total cost of all work, expenses and profit.

2. Amend the completion date to December 1, 2025.
3. The Contractor agrees to receive, and the State agrees to pay, as full compensation for the Twitchell Road Reconstruction, the prices set forth in the Alteration Order #3 dated May 23, 2025, attached hereto as Exhibit A, totaling the sum of one hundred fifty-eight thousand, one hundred dollars and zero cents (\$158,100.00).
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: December 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:**  
**BUSBY CONSTRUCTION CO., INC.**

DATED: 5/29/25

BY:   
Name: Paul O. Busby  
Title: President

**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF ADMINISTRATIVE SERVICES:**

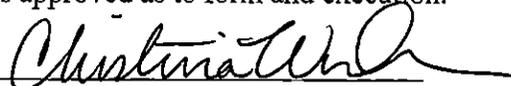
DATED: 6-2-25

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: 6/6/25

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. 81329R  
Contract B

ALTERATION ORDER NO. 3

APPROPRIATION ACCOUNT NO.

CONTRACT NO. 1102396-1

Date 5/23/25

CONTINGENCY NO.

Vendor No. 155275 B001

TO: Busby Construction Co Inc, 71 NH Route 111, Atkinson NH 03811

In Connection With Your Contract Dated 8/30/2024 For ARPA - Twitchell Rd Reconstruction, Concord, NH

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

- 1 Increase the contract by \$158,100.00 to make allowance #2 for Additional Sewer Line work. \$158,100.00
- 2 \$58,100 is for work associated with Change Order #7.
- 3 \$100,000 is for a new Allowance #2 for unforeseen conditions.

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

\$158,100.00

ACCEPTED BY: Date: 05-23-2025

APPROVED BY:

CPB  
Busby Construction Co Inc  
CHRISTOPHER P BOWLER

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. 81329R                      ALTERATION ORDER NO.                      2  
Contract B                                      APPROPRIATION ACCOUNT NO.  
Date                      5/23/25                      CONTRACT NO.                      1102396-1  
Vendor No.                      155275 B001                      CONTINGENCY NO.

TO: Busby Construction Co Inc, 71 NH Route 111, Atkinson NH 03811

In Connection With Your Contract Dated 8/30/2024 For ARPA - Twitchell Rd Reconstruction, Concord, NH

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

- 1 Extend the contract completion date from 6/13/25 to 12/1/25, per Busby Construction Co, Inc                      \$0.00  
letter dated March 31, 2025.

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

\_\_\_\_\_  
\$0.00

ACCEPTED BY:                      Date: 5/29/25

APPROVED BY:

Paul D. Busby  
Busby Construction Co Inc

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

Charles M. Arlinghaus  
Charles M. Arlinghaus  
Commissioner  
Department of Administrative Services

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

PROJECT NO. 81329R  
Contract B  
ALTERATION ORDER NO. 1  
APPROPRIATION ACCOUNT NO.  
CONTRACT NO. 1102396-1  
Date 12/3/24  
CONTINGENCY NO.  
Vendor No. 155275 B001

TO: Busby Construction Co Inc, 71 NH Route 111, Atkinson NH 03811

In Connection With Your Contract Dated 8/30/2024 For ARPA - Twitchell Rd Reconstruction, Concord, NH

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

- 1 Decrease the contract allowance by \$3,724.09 to make the allowance for Additions and Modifications to the Contract new balance for \$46,275.91 (\$3,724.09)
- 2 The new contract amount is \$683,143.91.

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

\_\_\_\_\_  
(\$3,724.09)

ACCEPTED BY: Date: \_\_\_\_\_

APPROVED BY:

Christopher P. Bowen

Digitally signed by Christopher P. Bowen  
DN: cn=U.S. Employee@busbyconstruction.com,  
o=Busby Construction Co., Inc., cn=Christopher P  
Bowen

\_\_\_\_\_  
Busby Construction Co Inc

  
\_\_\_\_\_  
Theodore Kupper, P.E.

Administrator  
Division of Public Works Design & Construction



# BUSBY CONSTRUCTION CO., INC

71 Route 111  
ATKINSON, NH 03811  
(603) 898-4800  
FAX (603) 898-4808

## CERTIFICATE OF VOTE

At a duly authorized meeting of the Board of Trustees/Directors of Busby Construction Co., Inc.  
(Name of Organization)  
held on April 28, 2025  
(date) at which all the Trustees/Directors were present and  
waived notice, it was voted, that Paul D. Busby, President of this organization,  
(Name) (Title)  
is authorized to execute any and all legal documents in the name and on behalf of said organization,  
and affix its corporate seal thereto; and such execution of any contract document in this  
organization's name and on its behalf by such President under the seal of the  
organization shall be valid and binding upon this organization.

I hereby certify that Paul D. Busby is duly elected President of said  
(Name) (Title)  
organization, and that the above vote has not been amended or rescinded and remains in full force  
and effect as of this date.

Corporate Seal Here:

Virginia A. Busby  
(Signature)

Virginia A. Busby  
(Type Name)

Secretary/Treasurer  
(Title)

May 29, 2025  
(Date)

State of New Hampshire County of Rockingham

On this 29th day of May, 2025, the above named Virginia A. Busby  
presented proof of identity in the form of NH Driver's License and swore that the above  
statement is true and accurate.

Notary Public [Signature]

**MICHAEL P. HENRY**  
Notary Public - New Hampshire  
My Commission Expires April 7, 2026  
My Commission Expires \_\_\_\_\_

# State of New Hampshire

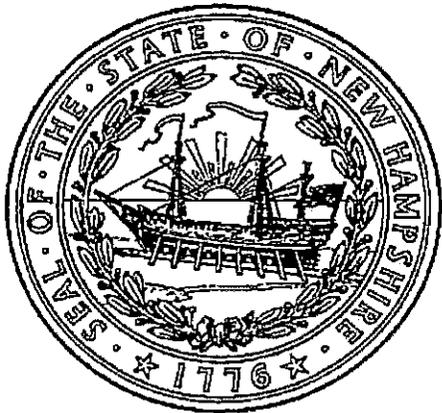
## Department of State

### CERTIFICATE

I, David M. Scanlan, Secretary of State of the State of New Hampshire, do hereby certify that BUSBY CONSTRUCTION CO., INC. is a New Hampshire Profit Corporation registered to transact business in New Hampshire on August 02, 1979. 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: 5783

Certificate Number: 0007129856



IN TESTIMONY WHEREOF,  
I hereto set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 28th day of March A.D. 2025.

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

David M. Scanlan  
Secretary of State







191 <sup>GAC</sup>



# 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 19, 2024

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

## REQUESTED ACTION

- 1) Authorize the Department of Administrative Services, Division of Public Works Design and Construction to enter into a contract with Busby Construction Co. Inc (VC#155275), Atkinson, NH for a total price not to exceed \$686,868 for Twitchell Road Reconstruction in Concord, NH (Project Number 81329). This contract is effective upon Governor and Council approval through June 13, 2025, unless extended in accordance with the contract terms. **100% Federal ARPA**
- 2) Further authorize the amount of \$35,000 be approved for payment to the Department of Administrative Services, Division of Public Works Design and Construction (VC#311152), for project management services. **100% Federal ARPA**

Funding is available as follows:

	<u>FY 2025</u>
010-014-26640000 ARPA Deferred Maintenance	
048-500226- Contract Repairs	\$ 686,868
048-500226- Contract Repairs – DPW Fees	\$ 35,000
<b>Project Total</b>	<b>\$ 721,868</b>

## EXPLANATION

The project includes rehabilitating the existing Twichell roadway at the South Office Park South Campus in Concord, NH. The work includes reclaiming and paving the existing road and formalizing the parking areas that run along the edge of the roadway. The project also includes replacing the existing drainage system and installing new site lighting.

A public bid opening was held on May 8, 2024. One (1) bid proposal was received and the contract was awarded to the lowest qualified bidder. The low bid is 24% over the Department estimate and is considered within industry standards.

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.

Attached please find a copy of the tabulation of bids for this project.

Respectfully submitted,



Charles M. Arlinghaus,  
Commissioner

Department Estimate:	\$ 550,000.00
Low Base Bid (without Alternates):	<u>\$ 686,868.00</u>
Over Estimate:	\$ 136,868.00



# ABC Bid Data

CONCORD  
81329RB  
81329R

PROJECT:	CONCORD	Awarded To:	
STATE PROJECT NUMBER:	81329RB	Amount:	\$0.00
FED. PROJECT NUMBER:	81329R	Award Date:	
DATE BIDS OPEN:	May 08, 2024, 2:00 PM	Certified by:	<u>Director of Public Development</u>
SCOPE OF WORK:	ARPA Twitchell Road Reconstruction		
COMPLETION DATE:	June 13, 2025		
LOCATION:	Merrimack		

## Summary of Bidders

Contractor	Bid Amount	Rank
BUSBY CONSTRUCTION CO., INC. 71 ROUTE 111, ATKINSON NH 03811	\$686,868.00	A

### BID AWARD

Award To: Busby Construction Co., Inc.  
 Contract Award: \$ 686,868  
 Negotiated: Yes/No?: NO  
 Alternates: Yes/No?: NO  
 Using Agency: NH DAS  
 Authorized By: Theodore Ruppert, PC  
 Date: 05152024

Item 901: \$ <u>636,868.00</u>	Item 906: \$ _____
Item 902: \$ <u>50,000.00</u>	Item 907: \$ _____
Item 903: \$ _____	Item 908: \$ _____
Item 904: \$ _____	Item 909: \$ _____
Item 905: \$ _____	Item 910: \$ _____

BASE BID TOTAL: \$ 686,868.00

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

GRAND TOTAL: \$ 686,868.00



# ABC Bid Data

CONCORD  
81329RB  
81329R

Item No.	Description	Unit	Quantity	BID		BUSBY CONSTRUCTION CO., INC. 71 ROUTE 111 ANDOVER, NH 03811		Unit Price	Total
				Unit Price	Total	Unit Price	Total		
<b>Items</b>									
801	TWITCHELL ROAD RECONSTRUCTION	U	1.00	\$500,000.00	\$500,000.00	\$636,868.00	\$636,868.00		
802	ALLOWANCE FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	\$	50,000.00	\$1.00	\$50,000.00	\$1.00	\$50,000.00		
<b>Totals:</b>					<b>\$550,000.00</b>		<b>\$686,868.00</b>		
<b>RL Totals:</b>									
<b>Totals:</b>					<b>\$550,000.00</b>		<b>\$686,868.00</b>		



## PS&E Comparison

CONCORD  
81329RB  
81329R

Item No.	Description	Unit	Quantity	A-Bidder		PS&E		A-PS&E Difference
				Unit Price	Total	Unit Price	Total	
<b>Items</b>								
901	TWITCHELL ROAD RECONSTRUCTION	U	1.00	\$636,868.00	\$636,868.00	\$500,000.00	\$500,000.00	\$136,868.00
902	ALLOWANCE FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	S	50,000.00	\$1.00	\$50,000.00	\$1.00	\$50,000.00	\$0.00
<b>Total:</b>					<b>\$686,868.00</b>		<b>\$550,000.00</b>	<b>\$136,868.00</b>



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: 81329RB CONCORD

### Contractor Profile

Firm	BUSBY CONSTRUCTION CO., INC.
Contractor ID	155275
Address	71 ROUTE 111 ATKINSON NH 03811
Phone	(603)895-4800
FAX	
E-Mail	mphenry@busbyconstruction.com
Authorized Signature:	<i>Isl Brian Good</i>

### Bid Bond

Verified

Auth Code/Check#	SNH0503243081
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### Receipt of Addenda

Sequence	Date	
1	05/03/2024	Yes



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

Proposal

Total Bid for Award Consideration

**\$686,868.00**

**Contract Number:** 81329RB

**Bid Opening Date:** 08-May-2024

**Contract Name:** CONCORD

**Project Funding:** Federal

**Proposal For:** 155275 - BUSBY CONSTRUCTION CO., INC.

**Items**

Seq#	Item #	Description	Unit	Quantity	Unit Price	Extended Price
1	901	TWITCHELL ROAD RECONSTRUCTION	U	1.000	\$636,868.00	\$636,868.00
2	902	ALLOWANCE FOR ADDITIONS AND MODIFICATIONS TO THE CONTRACT	\$	50,000.000	\$1.00	\$50,000.00

**Total for Category Items \$686,868.00**

**Total Bid for Award  
Consideration**

**\$686,868.00**

## Proposal

Proposal Of

BUSBY CONSTRUCTION CO., INC.  
71 ROUTE 111, ATKINSON NH, 03811

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 8, 2024. Said project being situated as follows:

ARPA Twitchell Road Reconstruction

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 Isl Brian Good

**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 June 13, 2025.

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:

BUSBY CONSTRUCTION CO., INC.

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 Isl Brian Good

## 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 Isl Brian Good

**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 Isi Brian Good

# State of New Hampshire

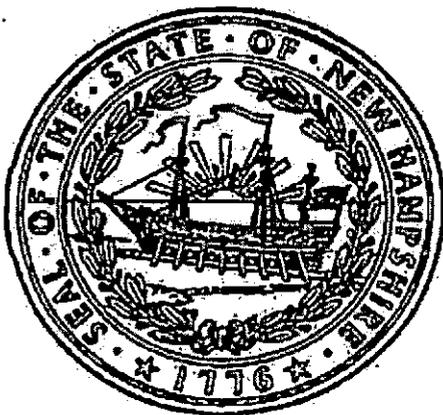
## Department of State

### CERTIFICATE

I, David M. Scanlan, Secretary of State of the State of New Hampshire, do hereby certify that BUSBY CONSTRUCTION CO., INC. is a New Hampshire Profit Corporation registered to transact business in New Hampshire on August 02, 1979. 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: 5783

Certificate Number: 0006657651



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 3rd day of April A.D. 2024.

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

David M. Scanlan  
Secretary of State

CERTIFICATE OF VOTE

I, Virginia A. Busby Hereby certify that I am duly elected  
Secretary of BUSBY CONSTRUCTION CO., INC.

I hereby certify the following is a true copy of a vote taken at a meeting  
of the Board of Directors of the Corporation, duly called and held  
on May 28, 2024, at which a quorum of the Board was present  
and voting.

VOTED: That Paul D. Busby is duly authorized  
to enter into a specific contract namely CONCORD #81329RB  
State of New Hampshire, Department of  
With Administrative Services, and further authorized to  
execute any documents which may in his judgment be desirable or necessary to effect  
the purpose of this vote.

I hereby certify that said vote has not been amended or repealed and remains  
in full force and effect as of May 28, 2024, and that  
Paul D. Busby is duly elected President of this  
Corporation.

DATED: May 28, 2024

ATTEST: Virginia A. Busby (Affix Corp. Seal)  
Virginia A. Busby, Secretary



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/30/2024

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 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).

<b>PRODUCER</b>		<b>CONTACT NAME:</b> Donna Bickford	
THE ROWLEY AGENCY		<b>PHONE (A.C. No. Ext):</b> (603) 224-2562	<b>FAX (A.C. No.):</b> (603) 224-8012
45 Constitution Avenue		<b>E-MAIL ADDRESS:</b> dbickford@rowleyagency.com	
P.O. Box 511			
Concord NH 03302-0511			
<b>INSURED</b>		<b>INSURER(S) AFFORDING COVERAGE</b>	
Busby Construction Co., Inc.		INSURER A: Firemen's Ins Co of Wash. DC	NAIC # 21784
71 Route 111		INSURER B: Acadia Insurance Company	31325
Atkinson NH 03811		INSURER C: Charter Oak Fire Ins Co	25615
		INSURER D:	
		INSURER E:	
		INSURER P:	

**COVERAGES** **CERTIFICATE NUMBER:** 2024-25 All Lines **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	ADDITIONAL SUBROGATION WAIVED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:		CPA150089434	6/7/2024	6/7/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP/AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		CAA150089535	6/7/2024	6/7/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0		CUA150089635	6/7/2024	6/7/2025	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 PRODUCTS/COMPL/OPS/AGGR \$ 5,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	WPA150089736	6/7/2024	6/7/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	LEASED/RENTED EQUIPMENT-ACV		QT6602E552036COP24	6/7/2024	6/7/2025	LIMIT: \$1,200,000 DEDUCTIBLE: \$1,000

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

RE: #81329RB- Twitchell Road Reconstruction (Contract B)  
 The State of New Hampshire, its agencies, agents & employees are included as additional insureds (ongoing and completed operations) on all liability policies except workers comp when required by written contract with the named insured.

**CERTIFICATE HOLDER****CANCELLATION**

State of New Hampshire Department of Administrative Services 7 Hazen Drive Room 250 Concord, NH 03302	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 Donna Bickford/DTB <i>Donna Bickford</i>
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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/24/2024

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 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).

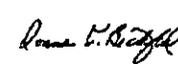
<b>PRODUCER</b> <b>THE ROWLEY AGENCY</b> 45 Constitution Avenue P.O. Box 511 Concord NH 03302-0511	<b>CONTACT NAME:</b> Donna Bickford	
	<b>PHONE (AC, No. Ext):</b> (603) 224-2562	<b>FAX (AC, No):</b> (603) 224-8022
	<b>E-MAIL ADDRESS:</b> dbickford@rowleyagency.com	
	<b>INSURER(S) AFFORDING COVERAGE</b>	<b>NAIC #</b>
	<b>INSURER A:</b> Acadia Insurance Company	31325
<b>INSURED</b> State of NH Dept. of Administrative Services c/o Busby Construction Co., Inc. 71 Route 111 Atkinson NH 03811	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **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 INSR	SUBR WYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Owners & Contractors Protec			OC9B2452415938	6/12/2024	6/12/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ OTHER \$
	GENTL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 Re: #81329RB- Twitchell Road Reconstruction (Contract B)

<b>CERTIFICATE HOLDER</b>  State of New Hampshire Department of Administrative Services 7 Hazen Drive Room 250 Concord, NH 03301	<b>CANCELLATION</b>  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  Donna Bickford/DTB 
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# CERTIFICATE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)  
6/11/2024

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.

If this certificate is being prepared for a party who has an insurable interest in the property, do not use this form. Use ACORD 27 or ACORD 28.

<b>PRODUCER</b> <b>THE ROWLEY AGENCY</b> 45 Constitution Avenue P.O. Box 511 Concord NH 03302-0511	<b>CONTACT NAME:</b> Donna Bickford	
	<b>PHONE (AG, Ho, Ext):</b> (603) 224-2562	<b>FAX (AG, Ho):</b> (603) 224-8912
<b>E-MAIL ADDRESS:</b> dbickford@rowleyagency.com		
<b>PRODUCER CUSTOMER ID:</b> 00000426		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A:</b> Acadia Insurance Company		31325
<b>INSURER B:</b>		
<b>INSURER C:</b>		
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		

<b>COVERAGES</b>	<b>CERTIFICATE NUMBER:</b>	<b>REVISION NUMBER:</b>
<b>LOCATION OF PREMISES / DESCRIPTION OF PROPERTY (Attach ACORD 101, Additional Remarks Schedule, if more space is required)</b> Loc#:00001- Builders Risk- Twitchell Road/105 Pleasant St., Concord, NH		

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	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	COVERED PROPERTY	LIMITS
	<input type="checkbox"/> PROPERTY <input type="checkbox"/> CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input type="checkbox"/> SPECIAL <input type="checkbox"/> EARTHQUAKE <input type="checkbox"/> WIND <input type="checkbox"/> FLOOD	<input type="checkbox"/> DEDUCTIBLES <input type="checkbox"/> BUILDING <input type="checkbox"/> CONTENTS			<input type="checkbox"/> BUILDING <input type="checkbox"/> PERSONAL PROPERTY <input type="checkbox"/> BUSINESS INCOME <input type="checkbox"/> EXTRA EXPENSE <input type="checkbox"/> RENTAL VALUE <input type="checkbox"/> BLANKET BUILDING <input type="checkbox"/> BLANKET PERS PROP <input type="checkbox"/> BLANKET BLDG & PP	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
A	<input checked="" type="checkbox"/> INLAND MARINE <input type="checkbox"/> CAUSES OF LOSS <input type="checkbox"/> NAMED PERILS <input checked="" type="checkbox"/> Special form	TYPE OF POLICY <b>Builders Risk</b> POLICY NUMBER CINS5983910	6/12/2024	6/12/2025	<input checked="" type="checkbox"/> Completed Value <input checked="" type="checkbox"/> Temporary Storage Limit <input checked="" type="checkbox"/> Trench Limit <input checked="" type="checkbox"/> Waiver of Subrogation	\$ 686,868 \$ 500,000 \$ 500,000 \$ Included
	<input type="checkbox"/> CRIME <input type="checkbox"/> TYPE OF POLICY					\$ \$ \$ \$
	<input type="checkbox"/> BOILER & MACHINERY / EQUIPMENT BREAKDOWN					\$ \$ \$ \$

**SPECIAL CONDITIONS / OTHER COVERAGES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)**  
 Re: #81329RB- Twitchell Road Reconstruction (Contract B)

Deductible: \$2500

<b>CERTIFICATE HOLDER</b>  State of New Hampshire Department of Administrative Services 7 Hazen Drive Room 250 Concord, NH 03301	<b>CANCELLATION</b>  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  Donna Bickford/DTB <i>Donna Bickford</i>
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