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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

September 29, 2025

Her Excellency, Governor Kelly A. Ayotte
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 **RETROACTIVELY** enter into an amendment to an existing contract with Aberthaw Construction Co., Inc. (VC#161996) Lowell, Massachusetts, by increasing the price limitation by \$38,602.08 for a total price not to exceed \$1,940,040.08 for Project Number 81252R Contract B for Police Standards and Training Range Ventilation and Filtration in Concord, New Hampshire. This contract is effective August 14, 2025 upon Governor and Council approval through November 20, 2025, unless extended in accordance with the contract terms. The original contract was approved by Governor and Council on October 30, 2024, Item # 131 and further amended through the use of contingencies. **100% Capital Funds.**
- 2) Further authorize an additional contingency in the amount of \$36,397.92 for unforeseen site expenses. The original contingency was approved by Governor and Council on October 30, 2024, Item # 131, **100% Capital Funds.**

Funds are available in the following account:

	<u>FY 2026</u>
030-87-13280000-034-500162 19-146: 1X1VA- Boiler Replacement	
034-500162 – Contract construction	\$ 38,602.08
030-87-1328000-034-500162 19-146: 1X1VA- Boiler Replacement	
034-500162- Contingency	\$ 36,397.92

EXPLANATION

This request is for a RETROACTIVE contract amendment for the Police Standards & Training Range Ventilation and Filtration construction project, in Concord, New Hampshire. Additional work was required due to an unanticipated change in length and weight of the energy recovery unit (ERU) that serves the indoor firing range. As the work was already in progress and the modification was critical to complete the project, it was not feasible to halt the construction. As such the Department is asking for retroactive approval back to August 14, 2025 to fund the additional work associated with the ERU and related modifications.

The original scope of the contract included the removal and replacement of the existing ERU and associated air filters, housing box / plenum, supply and return ductwork that serve the firing range. The original design was similar to a replacement in kind and did not require modification to the appurtenances associated with the ERU. However, during the time between the completion of design and beginning of construction, the manufacturer of the ERU changed suppliers for the shell of the unit. With the new shell incorporated into the fabrication of the unit, the ERU is now 200 inches shorter and 1,560 pounds heavier than the unit accounted for in the original design. This change resulted in the need to install additional structural steel reinforcement to support the new unit. In order to access the structural steel joists in the ceiling of the firing range to complete the steel work, the contractor had to remove more target rails and more ballistic baffles than originally expected. The removal of the target rails requires a specialized contractor, and the removal of the ballistic baffle requires multiple people and a mechanical lift to remove them from their supports and place them on the ground. Additionally, due to the new placement of the ERU, modifications are required to the existing roof drain piping, hot water piping, large ductwork, and a sprinkler pipe. There is also additional roof patching required.

Without retroactive approval of this contract amendment, the firing range will not be completed before winter, and the training of new recruits and certification of existing police officers will not be able to be completed.

While the range project was originally funded with ARPA funds, capital funds were made available for this amendment. The capital funds, per CH:146:1, XVI,A Laws of 2019, were originally for a boiler replacement but were amended in the 2024 session to expand the scope to include range ventilation and filtration. The funds were then extended in CH:159:18,195 Laws of 2025 and are still available for this amendment.

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. The Department has determined that the vendor is in good standing with the Secretary of State's Office, has secured the required levels of insurance, and has provided evidence of authority to execute and be bound by the contract. Documents supporting these assertions are available at the agency, for review upon request.

Respectfully submitted,



Charles M. Arlinghaus,
Commissioner

Contract Reconciliation:

Original contract:	\$1,881,438.00
Previous increases to the Contract Value per terms of the Contract utilizing Contingency	\$ 20,000.00
Contract Value:	\$1,901,438.00
Current Amendment:	\$ 38,602.08
New Contract Total:	\$1,940,040.08

Contingency Reconciliation:

Original amount:	\$ 20,000.00
Utilized Contingency per terms of the Contract:	(\$ 20,000.00)
Current Amendment:	\$ 36,397.92
New Total:	\$ 36,397.92

AMENDMENT TO 81252R- Contract B

This AMENDMENT TO THE CONTRACT (“Amendment”) is entered into this 14th day of August 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 Aberthaw Construction Company, Inc. (hereinafter “Contractor”) (the State and the Contractor may hereinafter singularly and/or collectively be referred to as “Party” or “Parties”).

WHEREAS, in August 2024, the State received competitive bids on Project 81252R, Contract B (“Project 81252R-B), which called for removal and replacement of the existing energy recovery air handling unit (ERU) and associated air filters, housing box / plenum, supply and return ductwork that serve the firing range at Police Standards and Training facility in Concord, NH. Two (2) bid proposals were received and the contract was awarded to the lowest qualified bidder.

WHEREAS, on October 7, 2024, pursuant to the approval of the New Hampshire Governor and Council, the Parties entered into a contract for the ARPA – Police Standards & Training Range Ventilation and Filtration, Project 81252R, Contract B (“Contract”)

WHEREAS, on October 30, 2024, New Hampshire Governor and Council approved the Contract (Item # 131).

WHEREAS, the original not-to-exceed amount of \$1,881,438.00 has been amended per the terms of the contract to a not-to-exceed amount of \$1,901,438.00.

WHEREAS, the Contractor has been hired to work on the Range Ventilation and Filtration under the Contract, the total fees of which have reached the not-to-exceed amount of \$1,901.438.00.

WHEREAS, the Contractor is currently mobilized at Police Standards & Training 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 Structural Joist Reinforcements set forth herein. These include:
 - a. Range truss reinforcement. The scope and cost of this work is detailed on drawings S-101 and S-201 dated May 9, 2025 attached hereto as **Exhibit A**.
2. The Contractor agrees to receive, and the State agrees to pay, as full compensation for the Structural Joist Reinforcement, the prices set forth in Alteration Order #2, dated 9/15/2025 attached hereto as **Exhibit B**.

3. The sum of thirty eight thousand six hundred two dollars and eight cents (\$ 38,602.08) has been added to the contract, thereby increasing the not-to-exceed contract value to \$1,940,040.08.
4. The Contractor agrees to perform the Structural Joist Reinforcements in accordance with all terms of this Amendment and the Contract, including any Specifications and Drawings under this Amendment or the Contract.
5. The 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: November 20, 2025.
6. This Amendment and the Specifications and Drawings attached hereto shall constitute Contract Documents as defined in Part 1 of Document 00708 to the Contract.
7. 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.
8. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to them in the Contract.
9. 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:

Aberthaw Construction Company, Inc.

By: Jeffrey Alley
Name: Jeffrey Alley
Title: President

Date: 9.29.2025

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES

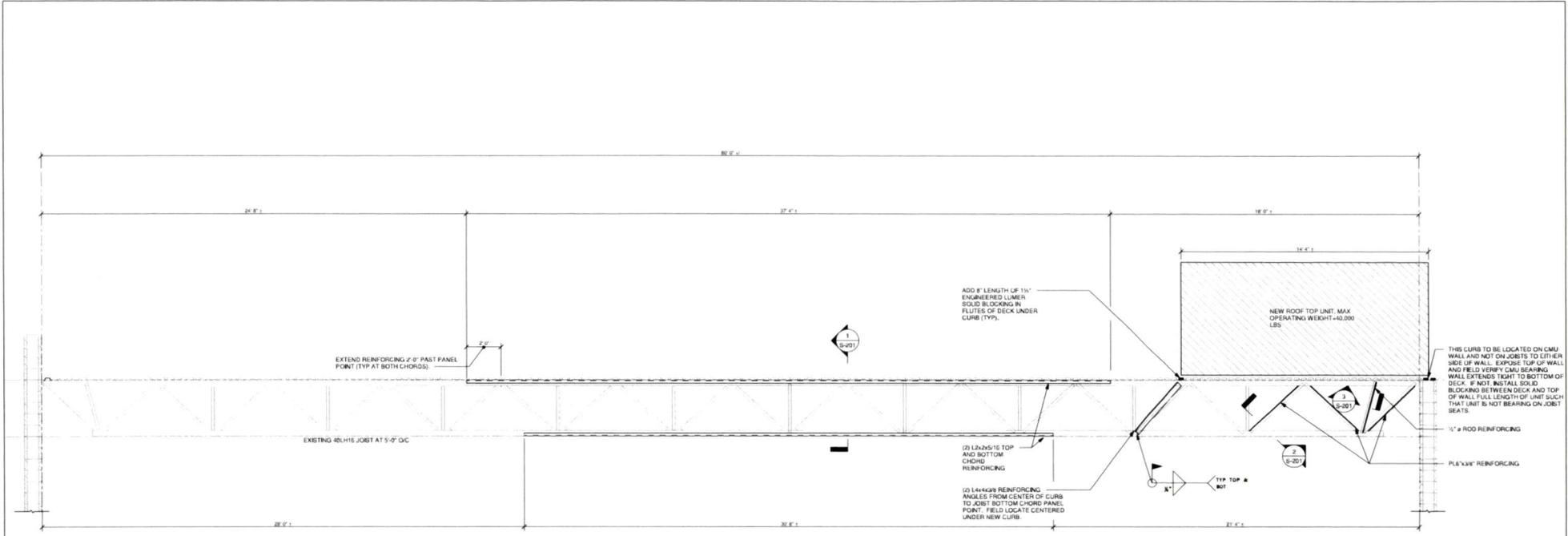
By: Charlie M. Arlinghaus
Name: Charlie M. Arlinghaus
Title: Commissioner

Date: 9-29-25

The foregoing Amendment, having been reviewed by this office, is approved as to form and execution on October 14, _____, 2025.

OFFICE OF THE ATTORNEY GENERAL

By: Christina W. [Signature]
Sr. Assistant Attorney General



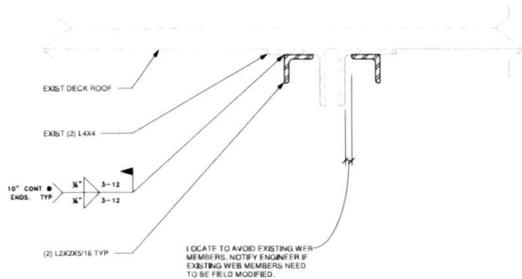
SECTION
SCALE: 3/8" = 1'-0"

1. SECTION INDICATES TYPICAL TRUSS REINFORCING. ALL TRUSSES UNDER CURB OF NEW ROOF TOP EQUIPMENT TO BE REINFORCED AS INDICATED. COORDINATE WITH EQUIPMENT DRAWINGS.

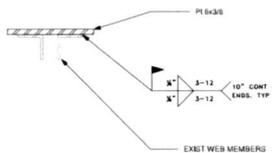
THIS CURB TO BE LOCATED ON CMU WALL AND NOT ON JOISTS TO EITHER SIDE OF WALL. EXPOSE TOP OF WALL AND FIELD VERIFY CMU BEARING WALL EXTENDS TIGHT TO BOTTOM OF DECK. IF NOT, INSTALL SOLID BLOCKING BETWEEN DECK AND TOP OF WALL FULL LENGTH OF UNIT SUCH THAT UNIT IS NOT BEARING ON JOIST BEATS.

EX-A

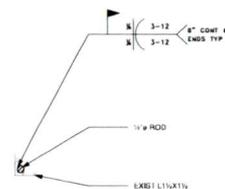
<p>McFarland Johnson CONCORD, NEW HAMPSHIRE 03301 TEL: 603 225-2979 FAX: 603 225-2985 www.mjce.com No. Project No. 2000.12</p>		STATE OF NEW HAMPSHIRE DEPARTMENT OF ADMINISTRATIVE SERVICES DIVISION OF PUBLIC WORKS DESIGN & CONSTRUCTION		<table border="1"> <thead> <tr> <th colspan="2">REVISIONS</th> </tr> <tr> <th>No.</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> </tbody> </table>		REVISIONS		No.	DATE																			ARPA - POLICE STANDARDS & TRAINING RANGE VENTILATION & FILTRATION UPGRADE/REPLACEMENT NH DAS DIVISION OF PUBLIC WORKS 17 INSTITUTE DE 17 INSTITUTE DE CONCORD, NH 03301
		REVISIONS																										
No.	DATE																											
JOHN D. MCFARLAND, P.E. 7 WOODS DRIVE, BOX 443, ROOM 103 CONCORD, NEW HAMPSHIRE 03301-0443 (603) 225-2979 FAX (603) 225-2985	PROJECT NO. 2000.12 SHEET NO. 1 CONTRACT NO.																											
DESIGNER/ARCHITECT: MCFARLAND JOHNSON CHECKED BY: LEP APPROVED BY: LEP CREATED BY: LEP		TRUSS ELEVATION DRAWN BY: SD SCALE: 3/8" = 1'-0" DATE: 05/09/2002	PROJECT NO. 2000.12 SHEET NO. 1 CONTRACT NO.																									



1 SECTION
SCALE: 3" = 1'-0"



2 SECTION
SCALE: 3" = 1'-0"



3 SECTION
SCALE: 3" = 1'-0"

NOTE:
1. PROVIDE APPROX. 7/8" (FIELD VERIFY) WIDTH NOTCH IN PLATE. EXTEND PLATE FULL LENGTH OF WEB MEMBERS TO LAP ONTO CHORDS. PROVIDE WELD TO JOINT TOP AND BOTTOM CHORD.

STRUCTURAL STEEL

- THE STRUCTURAL DRAWINGS SHALL BE USED IN CONJUNCTION WITH THE SITE ARCHITECTURAL, MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS AND THE SPECIFICATIONS.
- ALL STRUCTURAL STEEL WORK SHALL COMPLY WITH THE FOLLOWING CODES AND STANDARDS AND ANY OTHER CODES, STANDARDS, OR OTHER DOCUMENTS REFERENCED THEREIN. VERSIONS OR EDITIONS SHALL BE AS REFERENCED BY THE BUILDING CODE INDICATED IN THE DESIGN BASIS.
 - ASCE (AMERICAN INSTITUTE OF STEEL CONSTRUCTION) SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS - AISC 360
 - ASCE CODE OF STANDARD PRACTICE FOR STEEL BUILDINGS AND BRIDGES - AISC 303
 - RCSC (RESEARCH COUNCIL ON STRUCTURAL CONNECTIONS) SPECIFICATION FOR STRUCTURAL JOINTS USING HIGH-STRENGTH BOLTS
 - AWS (AMERICAN WELDING SOCIETY) STRUCTURAL WELDING CODE - STEEL - AWS D1.1
- ALL WELDING SHALL CONFORM TO THE STRUCTURAL WELDING CODE - ANS/AWS D1.1 OF THE AMERICAN WELDING SOCIETY.
- STEEL MATERIALS SHALL CONFORM TO THE FOLLOWING:
 - STRUCTURAL SHAPES
ASTM A36, Fy = 36,000 PSI (ANGLE'S, CHANNEL'S, S-SHAPES, ETC.)
- ALL STRUCTURAL STEEL SHALL BE SHOP PAINTED (MINIMUM 1.5 MILS DRY FILM THICKNESS) WITH AN APPROVED RUST INHIBITIVE PRIME PAINT. STEEL SHALL BE THOROUGHLY CLEANED PRIOR TO PAINTING. FIELD TOUCH UP WITH THE SAME PAINT WILL BE REQUIRED AND THEN PAINTED TO MATCH EXISTING.
- THERE WILL BE NO FIELD BURNING, CUTTING OR OTHER ALTERATIONS OF PRIMARY STRUCTURAL STEEL, BAR JOISTS OR LONGSPAN JOISTS WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.
- THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO THE ENGINEER (ARCHITECT) FOR REVIEW PRIOR TO FABRICATION FOR THE FOLLOWING ITEMS: STRUCTURAL STEEL.
- IT IS REQUIRED THAT THE STRUCTURAL STEEL SUBCONTRACTOR PREPARE COMPLETE ERECTION DRAWINGS, REVISIONS OR PHOTOCOPYING OF THESE STRUCTURAL DRAWINGS WILL NOT BE PERMITTED.
- ALL STRUCTURAL STEEL FABRICATION AND ERECTION MUST COMPLY WITH THE LATEST REQUIREMENTS OF CODES AND OTHER STANDARDS.

 53 REGIONAL DRIVE CONCORD, NEW HAMPSHIRE 03301 TEL: (603) 255-2915 FAX: (603) 255-0095 WWW.MJ.COM NJ Professional No. 18888-12	 JOHN D. MANTON PROFESSIONAL ENGINEER	STATE OF NEW HAMPSHIRE DEPARTMENT OF ADMINISTRATIVE SERVICES DIVISION OF PUBLIC WORKS DESIGN & CONSTRUCTION		REVISIONS <table border="1"> <thead> <tr> <th>No.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		No.	DESCRIPTION	DATE																												ABPA-POLICE STANDARDS & TRAINING RANGE VENTILATION & FILTRATION UPGRADE/REPLACEMENT NHDS DIVISION OF PUBLIC WORKS 17 INSTITUTE DR. 17 INSTITUTE DR. CONCORD, NH 03301	
		No.	DESCRIPTION	DATE																																	
JOHN D. MANTON BUILDING 7 HAVEN DRIVE BOX 483 ROOM 055 CONCORD, NEW HAMPSHIRE 03301-0545 603-271-2815 FAX: 603-271-2815		DESIGNER BY: MCFARLAND JOHNSON CHECKED BY: DEP APPROVED BY: DEP DRAWN BY: DEP		SECTIONS <table border="1"> <thead> <tr> <th>DRAWN BY</th> <th>CHECKED BY</th> <th>DATE</th> <th>SCALE</th> </tr> </thead> <tbody> <tr> <td>WTD</td> <td>JT</td> <td>7-1-10</td> <td>3/8"=1'-0"</td> </tr> </tbody> </table>		DRAWN BY	CHECKED BY	DATE	SCALE	WTD	JT	7-1-10	3/8"=1'-0"																								
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WTD	JT	7-1-10	3/8"=1'-0"																																		

PROJECT No. 08051
SHEET 1 OF 4
S-201
DATE: 07/01/10

Ex. B

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

PROJECT NO. 81252R ALTERATION ORDER NO. 2
Contract B APPROPRIATION ACCOUNT NO. 030-087-13280000-034-5001
Date 9/15/25 CONTRACT NO. 1103556- 1&3
Vendor No. 161996 B/B001 CONTINGENCY NO. 1103556-2

TO: Aberthaw Construction Co., Inc, 672 Suffolk Street, Suite 200, Lowell MA 01854-3608

In Connection With Your Contract Dated 10/30/2024 For ARPA - Range Ventilation and Filtration, Concord, NH

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

- 1. Create new Allowance #3 in the amount of \$38,602.08 for Unforeseen Conditions and Owner-Initiated Changes. \$38,602.08
- 2. Allowance #3 will be used as partial payment for Change Order #4, which is in the amount of \$67,681.08. The remainder of CO #4 will be paid out of the existing Allowance #1 and #2. _____
- 3. The new contract balance is \$1,940,040.08 **\$38,602.08**

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

ACCEPTED BY: Date: 09182025

APPROVED BY:

Jeffrey Alley
Aberthaw Construction Co., Inc

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

for Charles M Arlinghaus
Commissioner

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State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street - Room 810
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

October 15, 2024

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

REQUESTED ACTION

- 1) Authorize the Division of Public Works Design and Construction to enter into a contract with Aberthaw Construction Co., Inc. (VC#161996), Lowell, Massachusetts, for a total price not to exceed \$1,881,438 for Project No. 81252 for Police Standards and Training Range Ventilation and Filtration located in Concord, NH. The contract is effective upon Governor and Council approval through November 20, 2025, unless extended in accordance with the contract terms. **100% Federal Funds - ARPA**
- 2) Further authorize that a contingency in the amount of \$20,000 be approved for unanticipated site expenses. **100% Capital Funds**
- 3) Further authorize the amount of \$13,250 be approved for payment to the Department of Administrative Services, Division of Public Works Design and Construction (VC#311152), for engineering and project management services provided. **100% Capital Funds**

Funding is available in the following accounts:

	<u>FY 2025</u>
010-087-24880000 Range Ventilation Upgrade	
103-500736 – Contract Repairs; Bldg. Grounds	<u>\$ 1,881,438</u>
Contract Total	\$ 1,881,438
030-087-13280000 L19-146:1 XIV, A Boiler Replacement	
034-500162 – Repair / Renovation Buildings – Contingency	\$ 20,000
034-500162 – Repair / Renovation Buildings – DPW Fees	<u>\$ 13,250</u>
Project Total	\$ 1,914,688

EXPLANATION

This project will include the removal and replacement of the existing energy recovery air handling unit (ERU) and associated air filters, housing box/plenum, supply and return ductwork that serve the firing range. The project will remove the second-floor corridor access panel for filter box access and replace to match in kind. Remove and replace ERU, and associated rooftop equipment and ductwork. Upgrade existing structural roof trusses directly

under the new rooftop unit. Remove and replace existing sound baffles, wall and soffit insulation panels inside the shooting range.

Before work may start, all areas shall be thoroughly remediated to remove all lead contamination of all surfaces and material being properly disposed. This includes the shooting range duct work, filtration box area, existing sound baffles, wall and soffit insulation.

The existing energy recovery system requires constant manual adjustment to perform at a minimum comfort level. To maintain heat in the first-floor multi-purpose room, provides the second-floor shooting range to heat up to 100+ degrees Fahrenheit. The existing energy recovery rooftop unit and associated ductwork is 35 years old, and beyond the systems life expectancy.

The filtration box that filters out lead contamination collapsed approximately 10 years ago and was rebuilt in kind to operate. The existing filtration box is failing and not able to properly clean out all lead containment material. The last lead remediation occurred approximately 10 years ago.

Funding is available through a combination of ARPA Federal Funds along with Capital Funds pursuant to Chapter 146:1 XIV A, Laws of 2019.

A public bid opening was held on August 28, 2024. Two (2) bid proposals were received and the contract was awarded to the lowest qualified bidder. The low bid is 3% under the Department estimate. The difference between the low bid and the Department estimate is within the industry standards

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

Respectfully submitted,



Charles M. Arlinghaus,
Commissioner

Department Estimate:	\$ 1,942,461
Low Base Bid (no Alternates):	<u>\$ 1,881,438</u>
Under Estimate:	\$ 61,023