



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

5C- 7/29/26

June 25, 2026

Her Excellency, Governor Kelly A. Ayotte
And The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Authorize the Department of Environmental Services (NHDES) to amend an American Rescue Plan Act (ARPA) grant (PO# 1089961) with the Town of Seabrook (VC #177475-B002), NH, by amending the scope of work and method of payment to improve flood resilience for the Seabrook Wastewater Treatment Facility effective upon Governor & Council approval through August 31, 2026. The original agreement was approved by Governor & Council on November 22, 2022, Item 127, and the first amendment was approved on October 30, 2024, Item 5G. This is a no cost amendment. 100% Federal Funds.

EXPLANATION

NHDES requests a scope amendment for this grant due to unexpectedly high bid costs on the Seabrook Wastewater Treatment Facility (WWTF) Implementation Project. A scope amendment is requested because recent high bids could lead to the exclusion of some scope items, so the new scope allows for flexibility to move funding between installation items based on real-time costs. This addresses the challenges inherent in site conditions as construction progresses.

The Seabrook WWTF and supporting sewage pump stations were identified as particularly vulnerable critical facilities in the Coastal Hazards and Adaptation chapter of the Town's Master Plan. Using NHDES Coastal Flood Risk Summary guidance, the Town assessed the vulnerability of the WWTF and the coastal Route 286 pump station and developed conceptual options. These options will protect the integrity of several critical assets that are currently vulnerable to flooding or will be in the near future. These strategies include waterproofing and raising the entrances of metering vaults, raising the entrance of the influent screw pump vault, installing deployable barriers to protect critical process buildings, and increasing the resiliency of control systems by upgrading hardware and software. This is an allowable use of ARPA funds under Section 602 (c)(1)(D) to make necessary investments in water, sewer, or broadband infrastructure.

To date, \$159,260 has been spent of the original \$1,050,200 grant award. In the event federal funds become no longer available, general funds will not be requested to support this project. This amendment has been approved by the Office of the Attorney General as to form, execution, and substance.

We respectfully request your approval.


Robert R. Scott, Commissioner

Agreement for Services with the Town of Seabrook
Amendment No. 2

This Agreement (hereinafter called the "Amendment") dated this 4th day of May, 2026, is by and between the State of New Hampshire, acting by and through its Department of Environmental Services (hereinafter referred to as the "State") and Town of Seabrook acting by and through the Town Manager, William M. Manzi III (hereinafter referred to as the "Grantee").

WHEREAS, pursuant to an Agreement (hereinafter called the "Agreement") approved by the Governor and Council on November 22, 2022, and the first amendment approved on October 30, 2024, Item 5G, the Grantee agreed to perform certain services upon the terms and conditions specified in the Agreement and in consideration of payment by the State of certain sums as specified therein; and

WHEREAS, The Grantee and the State have agreed to amend the Agreement in certain respects;

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Agreement set forth herein, the parties hereto do hereby agree as follows:

1. Amendment and Modification of Agreement: The Agreement is hereby amended as follows:

- (A) Exhibit B (Scope of Services) of the Agreement shall be amended as follows and noted with strikethrough (deletion):

Task 2: Construction/Implementation

Construct/implement flood resilience upgrades at the WWTF and Route 286 Pump Station as per the final design plans and in accordance with the project's environmental permits and conditions, and complete construction oversight and administration during construction. Flood resilience upgrades to be constructed/implemented include:

- Raising Vaults: Influent Screw Pump Vault Modifications, Flow Metering Vault (including new meter) Route 286 Pump Station Vault (including new internals).
- Deployable Flood Barriers: Building Entryways, Deployable Flood Barriers – Single Doors, Deployable Flood Barriers – Double Doors.
- ~~Raising of Equipment: Raise Pad to Main Transformer (includes Transformer).~~
- SCADA Controls & Software Upgrade: Upgrade control software and provide redundant nodes for viewing, alarming, and off-site operation of the WWTF and Route 286 Pump Station.

- (B) Exhibit C (Method of Payment) of the Agreement shall be amended as follows and noted with strikethrough (deletion):

The total reimbursement shall not exceed the Grant Limitation of \$1,050,200. ~~Matching funds provided by the Grantee shall total at least \$70,900 for raising the pad to the main transformer (includes transformer) under Task 2, as well as completion of Tasks 5 and 6.~~ Changes to the Scope of Services require NHDES approval in advance. Work must be completed and request for reimbursement must be made prior to the completion date listed in this Grant Agreement (section 1.7).

2. Effective Date of Amendment: This Amendment shall take effect upon the date of approval of this Amendment by the Governor and Executive Council of the State of New Hampshire.
3. Continuance of Agreement: Except as specifically amended and modified by the terms and conditions of this Amendment, the Agreement, and the obligations of the parties thereunder,

shall remain in full force and effect in accordance with the terms and conditions set forth therein.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

Town of Seabrook

By 
William M. Manzi III, Town Manager

STATE OF New Hampshire
COUNTY OF Rockingham

On this the 1TH day of May, 2026 before the undersigned officer, personally appeared William Manzi III, Town Manager, who acknowledged him/herself to be the person who executed the foregoing instrument for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Name: Kelly S. O'Connor
Notary Public/ Justice of the Peace
My Commission Expires: 5/17/28

THE STATE OF NEW HAMPSHIRE
Department of Environmental Services

By 
Robert R. Scott, Commissioner

Approved by Attorney General this 1st day of July, 2026

OFFICE OF ATTORNEY GENERAL

By  Melissa Fales
Assistant Attorney General



**CERTIFICATE OF VOTE OF AUTHORIZATION
INFRASTRUCTURE PROJECTS
GRANTS ONLY**



American Rescue Plan Act (ARPA)

A Certificate of Vote of Authorization is a certificate that states that a grant applicant is willing to enter into a grant agreement with the State of NH Department of Environmental Services and that whoever signs the Grant Agreement (provided under separate cover) has the authority to do so. The Certificate must be signed and notarized on the same date as, or within 30 days of, the Grant Agreement signature. **This is a three-person form: Person Completing this Form, Authorized Representative, and a Public Notary.**

- ☐ Completed and signed by someone other than the person being given authority.
☐ Must be notarized.
☐ Original is required for submittal.

Certificate of Vote of Authorization

TOWN OF SEABROOK

99 Lafayette Road, Seabrook, NH 03874

I, Curtis Slayton of the Town of Seabrook do hereby certify that at a meeting held on May 4, 2026, the Board of Selectmen voted to enter into a American Rescue Plan Act Fund (ARPA) grant agreement with the New Hampshire Department Environmental Services to fund a Wastewater improvement project.

The Town of Seabrook further authorized the Town Manager William M. Manzi, to execute any documents which may be necessary to effectuate this grant agreement.

IN WITNESS WHEREOF, I have hereunto set my hand as Curtis Slayton of the Town of Seabrook, the 4th day of May 2026.

Curtis Slayton Signature: 
 STATE OF NEW HAMPSHIRE, County of Rockingham

On this 4th day of May 2026, Kelly J. O'Connor, before me (Notary Public) the undersigned Officer, personally appeared. Curtis Slayton, who acknowledged himself to be the Water and Sewer Superintendent of the Town of Seabrook, being authorized so to do, execute the foregoing instrument for the purpose therein contained.

In witness thereof, I have set my hand and official seal.

Notary Public Kelly O'Connor My commission expires: May 17th 2028



www.des.nh.gov

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 (603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex³) is organized under the New Hampshire Revised Statutes Annotated, Chapter 5-B, Pooled Risk Management Programs. In accordance with those statutes, its Trust Agreement and bylaws, Primex³ is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex³ is entitled to the categories of coverage set forth below. In addition, Primex³ may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex³, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex³ Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member. General Liability coverage is limited to Coverage A (Personal Injury Liability) and Coverage B (Property Damage Liability) only. Coverage's C (Public Officials Errors and Omissions), D (Unfair Employment Practices), E (Employee Benefit Liability) and F (Educator's Legal Liability Claims-Made Coverage) are excluded from this provision of coverage.

The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provided may, however, be revised at any time by the actions of Primex³. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the coverage categories listed below.

Participating Member: Town of Seabrook 99 Lafayette Road PO Box 456 Seabrook, NH 03874		Member Number: 290	Company Affording Coverage: NH Public Risk Management Exchange - Primex ³ PO Box 23 Hooksett, NH 03106-9716		
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	Type of Coverage	Effective Date (mm/dd/yyyy)	Expiration Date (mm/dd/yyyy)	Limits - NH Statutory Limits May Apply, If Not:	
☒	General Liability (Occurrence Form)	7/1/2025	7/1/2026	Each Occurrence	\$ 2,000,000
	Professional Liability (describe)	7/1/2026	7/1/2027	General Aggregate	\$ 10,000,000
	☐ Claims Made ☐ Occurrence			Fire Damage (Any one fire)	
				Med Exp (Any one person)	
☒	Automobile Liability	7/1/2025	7/1/2026	Combined Single Limit (Each Accident)	\$2,000,000
	Deductible Comp and Coll: \$1,000	7/1/2026	7/1/2027	Aggregate	\$10,000,000
	☐ Any auto				
☒	Workers' Compensation & Employers' Liability	1/1/2026	1/1/2027	☒ Statutory	
				Each Accident	\$2,000,000
				Disease — Each Employee	\$2,000,000
				Disease — Policy Limit	
☒	Property (Special Risk includes Fire and Theft)	7/1/2025	7/1/2026	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible: \$1,000
		7/1/2026	7/1/2027		

Description: Proof of Primex Member coverage only. Pollution and hazardous waste related liabilities, expenses and claims are excluded from coverage in the coverage document.

CERTIFICATE HOLDER:	Additional Covered Party	Loss Payee	Primex ³ – NH Public Risk Management Exchange
State of New Hampshire Department of Environmental Services 29 Hazen Drive Concord, NH 03302-0095			By: <i>Mary Beth Purcell</i>
			Date: 6/2/2026 mpurcell@nhprimex.org
			Please direct inquiries to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax