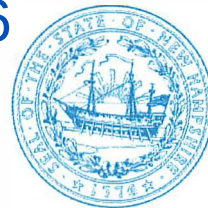




The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

79- 7/29/26



June 22, 2026

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

REQUESTED ACTIONS

Authorize the Department of Environmental Services (NHDES) to **Retroactively** amend an existing contract (PO# 1103043 & PO# 7003797) with Charter Contracting Company, LLC, Boston, MA (VC# 305017-B001), for construction services for the rehabilitation of Mendums Pond Dam in Nottingham, NH, by extending the completion date to December 31, 2026 from July 25, 2026, effective retroactively to July 26, 2026, upon Governor and Council approval. The original agreement was approved by the Governor and Council on October 16, 2024 as Item# 81. This is a no cost time extension. Funding is 91% American Rescue Plan Act (ARPA) Funds, and 9% Capital (General) Funds. This is an allowable use of ARP FRF funds under Section 602 (c)(1)(D) to make necessary investments in general government services.

EXPLANATION

This contract is for the rehabilitation of Mendums Pond Dam in Nottingham. In general, work has proceeded as planned and until recently NHDES had believed that the project would be completed prior to the end date of the contract. However, NH DES recently learned that more time is needed to reconcile construction item adjustments and to complete the significant instrumentation and data collection systems associated with the project that will supplement dam monitoring and flood forecasting capabilities. This request is **Retroactive** because NHDES did not learn of the need to extend the contract in time to allow for a request to be filed prior to the contract end date.

NHDES wishes to execute an amendment to the Agreement to provide a no-cost extension of the completion date of the Agreement to December 31, 2026 from July 25, 2026, effective upon Governor and Council approval, to allow for completion of construction.

Charter Contracting Company, LLC, has agreed to extend the current Agreement and is fully committed to expending all ARPA related funds before October 1, 2026. To date, \$3,158,097.90 has been spent from the \$4,429,360 contract. This amendment has been approved by the Attorney General's Office as to form, substance and execution. We respectfully request your approval.

Robert R. Scott, Commissioner

**AMENDMENT #1
TO
AGREEMENT
BETWEEN THE
NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES
AND
CHARTER CONTRACTING COMPANY, LLC**

CONSTRUCTION SERVICES – MENDUMS POND DAM, NOTTINGHAM, NH

WHEREAS the State of New Hampshire Department of Environmental Services ("NHDES") has entered into an Agreement with Charter Contracting Company, LLC (the "Contractor") in the amount of \$4,429,360 for construction services for the reconstruction of Mendums Pond Dam in Nottingham, NH, through July 25, 2026, which was approved by Governor and Council on October 16, 2024, as Item #81.

WHEREAS certain elements of the construction project related to final instrumentation setup have not been completed, and more time is needed to complete the work than the current contract end date allows for.

WHEREAS NHDES wishes to execute an Amendment to the Agreement to provide a no-cost extension of the completion date of the Agreement to December 31, 2026 from July 25, 2026, upon Governor & Council approval, to allow for completion of construction.

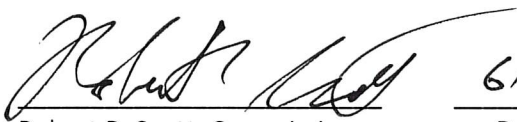
WHEREAS Charter Contracting Company, LLC, has agreed to extend the current Agreement.

NOW THEREFORE, amend the original Agreement as amended between NHDES and Charter Contracting Company, LLC as approved by Governor and Council on October 16, 2024, as Item #81 in the following manner:

Change section 1.7 (Completion Date) in the General Provisions of the Agreement to read: December 31, 2026.

Insert in EXHIBIT C, a new paragraph 1.6, ARPA Costs and Payment to read, "The American Rescue Plan Act (ARPA) funds included as part of this Agreement shall be fully expended no later than October 1, 2026. Final request for reimbursement of ARPA funds shall be submitted no later than 30 days after the October 1, 2026, completion date."

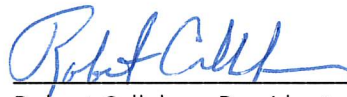
All other conditions outlined in the contract shall remain in effect.



Robert R. Scott, Commissioner
Department of Environmental Services

6/26/26

Date



Robert Callahan, President
Charter Contracting Company, LLC

6/17/2026

Date



Assistant Attorney General
Department of Justice

Date

as to form, substance and execution

State of New Hampshire

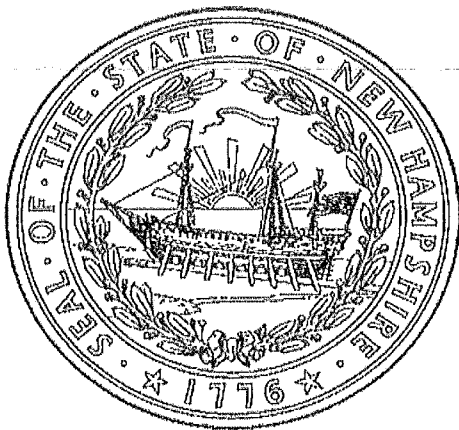
Department of State

CERTIFICATE

I, David M. Scanlan, Secretary of State of the State of New Hampshire, do hereby certify that CHARTER CONTRACTING COMPANY, LLC is a Massachusetts Limited Liability Company registered to do business in New Hampshire as CHARTER CONTRACTING COMPANY OF MA on December 31, 2014. 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: 719344

Certificate Number: 0007949822



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 16th day of June A.D. 2026.

A handwritten signature in black ink, appearing to read "D. Scanlan", is written over a faint circular line.

David M. Scanlan
Secretary of State

CERTIFICATE OF VOTE OF AUTHORIZATION TO SIGN

- Evidence of Authority to Sign -

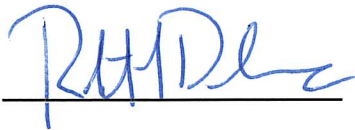
I, **Robert L. Delhome, Manager of Charter Contracting Company, LLC**, with a principal office located at 500 Harrison Avenue, Suite 4R, Boston, MA 02118, do hereby certify that a duly authorized meeting of the General Members of the above-named Company was held on October 17, 2023. At this time, a quorum of Members was present.

It was VOTED that **Robert Callahan, Jr., President** of this Company, be and hereby is authorized to submit bids and to execute contracts, bonds, and other instruments in the name and on behalf of said Company and affix its seal thereto. Such submissions of any bid or execution of any contract or the instrument or obligation in this organization's name on its behalf by the above-named Member shall be valid and binding on the Company.

I hereby certify that I am the Manager of this Company, that the above-named Member was duly elected to the above-stated title, and that the above-stated VOTE has not been amended or rescinded and remains in full force and effect.

Manager

Signature: _____

Name: Robert L. DelhomeDate: June 10, 2026

Notary

Signature: _____

Name: Oriana GonzalezDate: June 10, 2026

(Corporate Seal)

(Notary Seal)





CERTIFICATE OF LIABILITY INSURANCE

9/28/2026

DATE (MM/DD/YYYY)

9/26/2025

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 Lockton Companies, LLC DBA Lockton Insurance Brokers, LLC in CA CA license #0F15767 1185 Avenue of the Americas, Ste. 2010 New York NY 10036 (646) 572-7300	CONTACT NAME: Northeast- Charter Contracting Cert Requests		
	PHONE (A/C, No. Ext): FAX (A/C, No): E-MAIL ADDRESS: Chartercontractingcertrequests@lockton.com		
INSURED 1492720 Charter Contracting Company, LLC 500 Harrison Ave. Suite 4R Boston MA 02118	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Steadfast Insurance Company		26387
	INSURER B: Zurich American Insurance Company		16535
	INSURER C: Allied World Assurance Company (U.S.) Inc.		19489
	INSURER D: Aspen American Insurance Company		43460
	INSURER E:		
INSURER F:			

COVERAGES **CERTIFICATE NUMBER:** 20877612 **REVISION NUMBER:** XXXXXXXX

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	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☒ LOC OTHER:	N	N	GPL6469272-03	9/28/2025	9/28/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 25,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	N	N	BAP6135768-03	9/28/2025	9/28/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
A C	☒ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$	N	N	SXS6469277-03 0313-5722	9/28/2025 9/28/2025	9/28/2026 9/28/2026	EACH OCCURRENCE \$ 15,000,000 AGGREGATE \$ 15,000,000 \$ XXXXXXXX
B	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	N/A	WC6135770-03	9/28/2025	9/28/2026	☒ 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
D	Property/Contractors Equipment	N	N	IMZ461525	9/28/2025	9/28/2026	Limit: \$1,330,000 Ded/Ret: \$1,000 C/E: \$9,653,670 Ded: \$1,000 L/R: \$1,000,000

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

CERTIFICATE HOLDER

CANCELLATION See Attachment

20877612

New Hampshire Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

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

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