



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, including back up information, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to the requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: 03/26/2024 Date of Meeting: 04/11/2024
 Submitted by: Dawn Tuomala Time Required: 10 Minutes
 Department: Public Works Background Info. Supplied: Yes No
 Speakers: Dawn Tuomala

CATEGORY OF BUSINESS (PLEASE SELECT THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input type="checkbox"/>	Old Business:	<input checked="" type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

F.E. Everett Turnpike; (F.E.E.T) Widening in Merrimack From Bedford Road to South of Exit 13

DESCRIPTION OF ITEM

A second amendment to the above referenced project has resulted in the need for additional funds. This request is to allow the withdrawal of an additional \$14,799.28 from the Roads Infrastructure Capital Reserve Fund to cover the cost.

REFERENCE (IF KNOWN)

RSA:	Warrant Article:
Charter Article:	Town Meeting:
Other:	N/A:

EQUIPMENT REQUIRED (PLEASE SELECT ALL THAT APPLY)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input checked="" type="checkbox"/>	None:	<input type="checkbox"/>

CONTACT INFORMATION

Name: Dawn Tuomala Address: Town Hall
 Phone: Ext 8537 E-Mail dtuomala@merrimacknh.gov

APPROVAL

Town Manager: Yes No Chair/Vice Chair: Yes No

Hold for Meeting Date:



TOWN OF MERRIMACK INTER-DEPARTMENT COMMUNICATION

DATE: March 27, 2024

REVISED: April 3, 2024

AT (OFFICE): Department of Public Works

To: Paul Micali, Town Manager

FROM: Dawn B. Tuomala, PE, LLS, CWS
DPW Director

SUBJECT: **NH DOT Nashua-Merrimack-Bedford 13761-E – Second Amendment
F.E. Everett Turnpike Widening in Merrimack
Request for withdrawal of Funds from the Sewer Capital Reserve Fund**

NH DOT is working on the widening project 13761-E that will widen the Highway from 2 lanes to 3 lanes between Exists 12 and 13. Within this segment of Highway we have a sewer line crossing under the Highway near Dumpling Brook.

When they widen the road they will be placing additional fills over our sewer pipe. We had our engineer Wright-Pierce look at this pipe and determined that it was in good working order. We also had them put flow meters to determine how much flow is going through this pipe. It was determined that we do not need to increase the size of the pipe.

In order to maintain the integrity of this pipe, they will need to sleeve the pipe under the areas of fill. This will tie into the existing sleeve that currently runs under the Highway. After performing test pits to determine the actual location of the sleeve, it was determined that the sleeve ended at the edge of the existing pavement. This location is 11 feet shorter than was anticipated and shown on the As-Built Plans. The State and their contractor have determined that the total amount for this work including the Second Amendment will cost the Town \$105,495.49. Since the Town owns the sewer pipe we are responsible for the work being done on the pipe.

In order to proceed with the work, the Town of Merrimack sent the State a check in the amount of \$90,696.21 as part of the first Amendment. Therefore, we owe the State of NH the difference between the two amounts totaling \$14,799.28. We require an additional check made out to the "Treasurer, State of New Hampshire" for the amount of \$14,799.28. We are requesting the money come from the Road Infrastructure Capital Reserve Fund and that the Town Manager be allowed to sign all necessary documents.

Should you have any questions please let me know,

Dawn

CC: File



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Commissioner

David Rodrigue, P.E.
Assistant Commissioner
Andre Briere, Colonel, USAF (RET)
Deputy Commissioner

NASHUA-MERRIMACK-BEDFORD
13761-E
(F.E. Everett Turnpike; F.E.E.T Widening in Merrimack
From Bedford Road to South of Exit 13)
[UTILITY 2ND AMENDMENT TO AGREEMENT
COVER LETTER – SEWER MAIN SLEEVE EXTENSION]

Bureau of Highway Design
Room 200
Tel. (603) 271-2171
Fax (603) 271-7025

March 26, 2024

Dawn Tuomala
Public Works Director
Merrimack Public Works Department
6 Baboosic Lake Road
Merrimack, NH 0305

Dear Mrs. Tuomala:

The Department has received the second revision after proposal bid prices from R.S. Audley, Inc. dated March 15, 2024 to include an extra 11 feet for the extension of 30" steel casing around the existing 12" HDPE sewer main carrier pipe on the above noted State project in Merrimack, New Hampshire. The proposal has been reviewed by this office and incorporated into the construction contract estimate with the Utility Amendment to Agreement in the amount of \$105,495.49 which includes the deduction of \$2,048.90 for reimbursement of trench and backfill.

Enclosed is the original Utility Amendment to Agreement in duplicate, executed by the State. If this Agreement is satisfactory, please have both signed and dated for the Town and return one (1) to Lennart D. Suther, P.E., Utilities Engineer, New Hampshire Department of Transportation, 7 Hazen Drive, PO Box 483, Concord, NH, 03302-0483. The second Agreement is for your records.

Please prepare a check in the amount of \$105,495.49. Checks should be made payable to the "Treasurer, State of New Hampshire" and forwarded to Accounts Receivable Supervisor, Bureau of Finance and Contracts, New Hampshire Department of Transportation, 7 Hazen Drive, PO Box 483, Concord, NH 03302-0483, with a copy to Michael Mozer at the address stated above. Should funds not be provided, the extension of 30" steel casing around the existing 12" HDPE sewer main carrier pipe work will be deleted from the contract.

By copy of this letter Roadway Section is requested to revise the project estimate showing an income of \$105,495.49 which includes the deduction of \$2,048.90 for reimbursement of trench and

backfill from the Town for the above referenced non-participating relocations/improvements/removals included in the above referenced project.

This project is currently in Construction therefore the return of the executed Agreement is requested by March 29, 2024. Upon receipt of the signed, executed Agreement by the Department, you will be notified in writing of completion of the Agreement process. The authorization to proceed with the work to the Contractor will follow when payment is received. **If you have any questions, please contact Brett McCrea of this office at 271-1988.**

Sincerely,



Michael J. Mozer, P.E.
Chief of Design Services

MJM/LDS/BSM

Enclosures

cc: Wendy Johnson, Construction, Roadway Section, Finance & Contracts – Accounts Receivable
Supervisor, McFarland Johnson

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Design\TOWNS\Nashua\13761E\Utilities\Agreements\Sewer\UtilityAgreementAmendmentCoverLetterMerrimackPublicWorksDepartment.docx

NASHUA-MERRIMACK-BEDFORD
13761-E
(F.E. Everett Turnpike; F.E.E.T. Widening in Merrimack
From Bedford Road to South of Exit 13)
(2ND AMENDMENT TO AGREEMENT SEWER MAIN RELOCATION)

AMENDMENT TO AGREEMENT

This Amendment to Agreement is made in duplicate this 26 day of MARCH, 2024, by and between the STATE OF NEW HAMPSHIRE, by its Department of Transportation, party of the first part, hereinafter called the "State", and Merrimack Public Works Department (Vendor #177436), a municipally owned utility, party of the second part, hereinafter called the "Town".

WITNESSETH:

WHEREAS, the State and the Town entered into a Utility Agreement dated the 21st day of March, 2023, for the relocation of sewer main facilities, on the above referenced State project in the Town of Merrimack, County of Hillsborough, New Hampshire, and,

Revise the second sentence of the sixth Paragraph to read:

WHEREAS, the aforementioned Utility Agreement is to be amended to extend the existing sewer main sleeve around the existing carrier pipe for the Project, and,

Add the third sentence of the sixth Paragraph to read:

WHEREAS, the Contractor has submitted a set of plans for the extension of the existing sewer main sleeve around the existing carrier pipe from 65 feet to 76 feet to be added to the aforementioned Utility Agreement,

NOW THEREFORE, in consideration thereof, the parties hereto mutually agree to amend this Agreement as shown on the attached plans and described as follows:

Amend the **Method of Payment for Described Work** to read:

Work will be paid for at Actual Cost estimated at \$105,495.49 (Work Class Code 2250) as shown in the attached estimate:

Estimated Non-Participating Items	\$87,692.35
Construction Engineering (estimated at approximately 6%)	<u>\$5,261.54</u>
Subtotal	\$92,953.89
Fuel Adjustment	<u>\$5,000.00</u>
Subtotal	\$97,953.89
Less RSA 228:22 Reimbursement	\$2,048.90
Subtotal	\$95,904.99
10% Department Overheads	<u>\$9,590.50</u>
Estimated Total Actual Cost due	\$105,495.49

Amend Paragraph 7 to read:

7. The Town agrees to remit payment to the Treasurer, State of New Hampshire, through:
- Accounts Receivable Supervisor
 Bureau of Finance and Contracts
 New Hampshire Department of Transportation
 7 Hazen Drive, PO Box 483
 Concord, NH 03302-0483

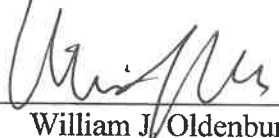
in the amount of the bid item totals, plus construction engineering estimated at 6%, fuel adjustment, and 10% for overhead expenses, minus the reimbursement amount, for the non-participating sewer main sleeve extension and carrier pipe installation work described in Paragraph 1 prior to the award of the Contract. The actual payment total required will be provided prior to the work. Should the funds (approximately \$105,495.49) not be provided, the sewer main sleeve extension and carrier pipe installation work in excess of that length required to be relocated due to construction conflicts will be deleted from the Contract; and the Town will be billed for the costs of the required relocated length, minus State reimbursement.


All other terms and conditions of said Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Agreement on the day and year first above written.

THE STATE OF NEW HAMPSHIRE
Department of Transportation

TOWN OF MERRIMACK
DEPARTMENT OF PUBLIC WORKS

By: 
William J. Oldenburg, P.E.
Director of Project Development

By: 
(Signature)

Paul T Mizali
(Typed or Printed Name)

MSM For JAM

Town Manager
(Title)

Attached Plans and Estimates Are a Part of This Amendment



R.S. AUDLEY, INC.

GENERAL CONTRACTORS

1113 Route 3A • Bow, New Hampshire • 03304-4025

(603) 224-7724 • fax (603) 225-7614

www.audleyconstruction.com

March 15, 2024

Greg Tedeschi
District Construction Engineer
Construction Bureau, NHDOT
PO Box 483
Concord, NH 03302-0482

RE: 13761E - Revision After Proposal – Sewer Sleeve Extension Pricing

R.S. Audley, Inc. (RSA) is pleased to provide pricing for the Revision After Proposal to extend the existing sewer sleeve beneath the proposed soundwall fill on the NHDOT #13761E project. Our approach will be to install a new sleeve around the existing 12" ductile iron pipe by cutting the pipe in half lengthwise to form a "clamshell". The bottom of the "clamshell" will then be installed first with spacers and then the top. The entire length of the pipe will then be bolted back together along both sides. See sequencing below.

1. Expose the end of the existing 30" steel sleeve and the approximate 76 ft of 12" ductile iron pipe where the new sleeve will be located. Install a trench box as needed.
2. Prefabricate 76 ft of 30" solid steel sleeve into two pieces (top and bottom).
3. Install jersey barriers along both sides of the existing ductile iron pipe and temporarily support existing sewer line with chains/straps.
4. Excavate below existing sewer line to make room for the new sleeve.
5. Attach pipe spacers to the existing sewer pipe.
6. Install the bottom half of the new sleeve.
7. Chink stone beneath the bottom of the sleeve and remove straps.
8. Place the top half of the sleeve onto the bottom half and bolt top and bottom pieces together.
9. Bolt new sleeve to existing sleeve on one end and install end seal on the other.
10. Backfill new sleeve.

RSA proposes to perform this work for a Lump Sum of \$87,692.35. Let me know if you have any questions.

Mike MacDonald, P.E.
Vice President
R.S. Audley, Inc.

General Contractors Since 1955

R S AUDLEY INCORPORATED
1113 ROUTE 3A
BOW, NH

TEAM EJP Concord, NH
210 Sheep Davis Road
Concord, NH

03304

03301

Telephone: 603-224-9545

2/23/24 Bid ID: 5528064 SEWER SLEEVE PIPE

Page 1

Quantity	Sell Per	Description	Unit Price	Extended Price
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EJ PRESCOTT IS PLEASED TO OFFER THE FOLLOWING PROPOSAL FOR THE ABOVE REFERENCED PROJECT.

THE ENCLOSED QUOTATION IS THE EJ PRESCOTT COMPANY'S BEST INTERPRETATION OF THE ENGINEER'S SPECIFICATIONS AND DRAWINGS. ALL QUANTITIES ARE APPROXIMATE, AND ARE SHOWN FOR THE PURPOSE OF ESTABLISHING UNIT PRICES. THEY ARE NOT TO BE CONSIDERED AS A GUARANTEED BILL-OF-MATERIALS, AND ARE SUBJECT TO ERRORS AND OMISSIONS.

THE CONTRACTOR IS RESPONSIBLE FOR REVIEWING THE QUOTED MATERIALS AND QUANTITIES FOR ACCURACY AND COMPLIANCE WITH HIS NEEDS PRIOR TO ORDERING OR SCHEDULING A DELIVERY TO THE JOBSITE.

THE CONTRACTOR IS RESPONSIBLE FOR THE RECEIVING, INSPECTION AND UNLOADING OF MATERIALS SHIPPED TO THE JOBSITE. ANY INCURRED DELAY CHARGES WILL BE INVOICED TO YOUR ACCOUNT.

PRICES ARE BASED ON THE ENTIRE LIST OF QUOTED MATERIALS. PRICES ARE FIRM FOR 30 DAYS FROM THE DATE OF THE QUOTE. WE WILL DO WHAT WE CAN TO HOLD THE PRICES FOR LONGER THAN THE STIPULATED 30 DAYS, BUT ARE SUBJECT TO ADJUSTMENT IF OUR COSTS CHANGE.

ALL RETURNS ON STOCK MATERIALS ARE SUBJECT TO A 25% REHANDLING FEE; NO RETURNS ARE PERMITTED ON NON STOCK FITTINGS, MATERIALS OR PIPE QUANTITIES*

PRICES ARE GOOD 30 DAYS FROM DATE OF QUOTE

NON-STOCK ITEMS ARE NOT ELIGIBLE TO BE RETURNED FOR CREDIT.

Continued Next Page

R S AUDLEY INCORPORATED
1113 ROUTE 3A
BOW, NH

TEAM EJP Concord, NH
210 Sheep Davis Road
Concord, NH

03304

03301

Telephone: 603-224-9545

2/23/24 Bid ID: 5528064 SEWER SLEEVE PIPE

Page 2

Quantity	Sell Per	Description	Unit Price	Extended Price
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IN THE EVENT OF UNFORESEEN
CIRCUMSTANCES, SUCH AS A
HURRICANE, THE MANUFACTURE'S OF
PVC, HDPE, AND ALL POLY PRODUCTS
ARE ONLY HOLDING PRICES FOR
A PERIOD OF 2 WEEKS !!
IF YOU HAVE ANY QUESTIONS
CONTACT YOUR EJP SALES REP.

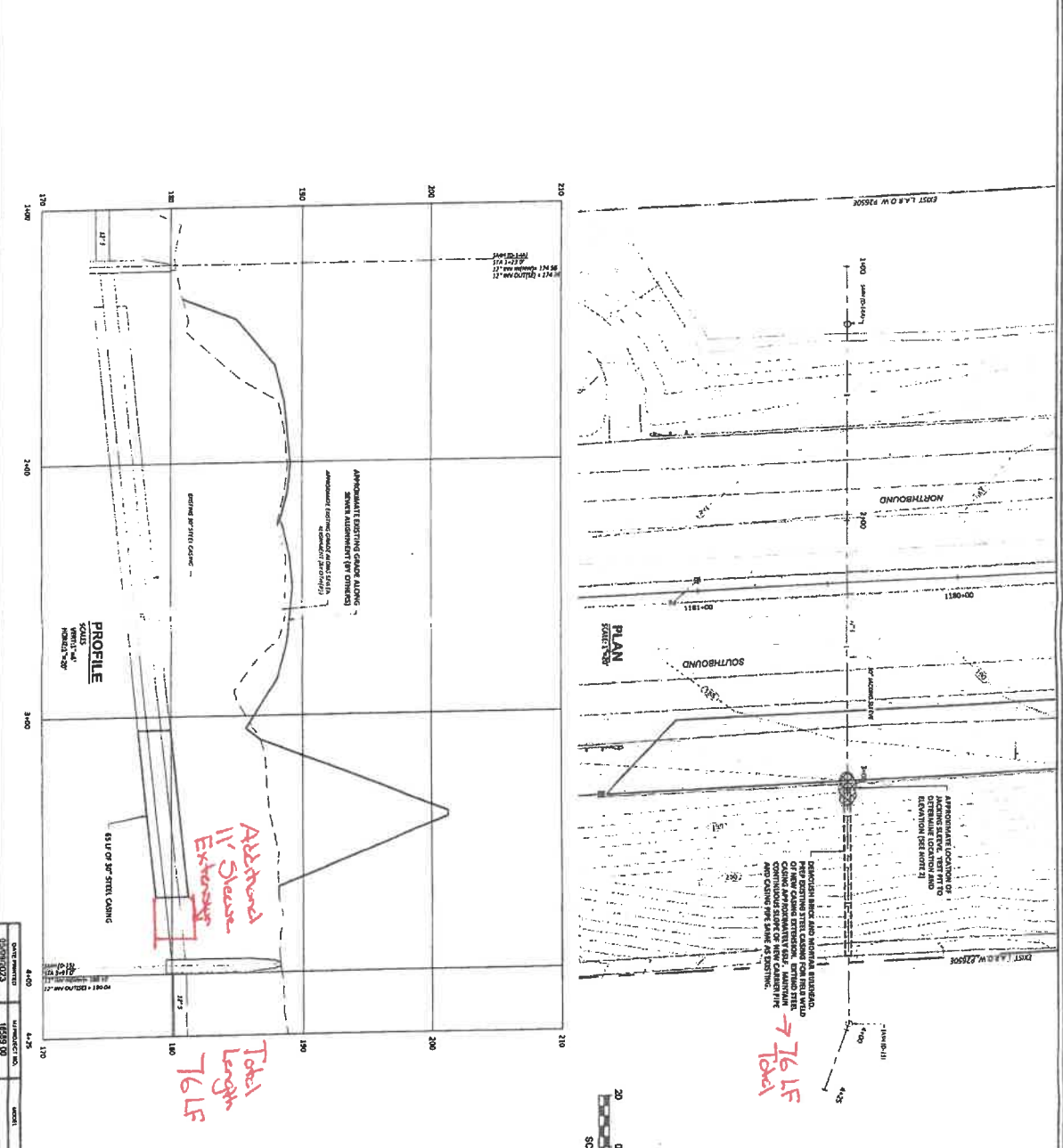
STEVE LEACH
MARKETING REPRESENTATIVE

603-513-9493
TEAM EJP- CONCORD, NH

20	EA	STEEL PIPE	438.00	8,760.00
4	EA	STAINLESS STEEL SPACERS	330.77	1,323.08
2	EA	WRAP AROUND END SEAL	192.31	384.62

Subtotal: 10,467.70
Tax: .00
Bid Total: 10,467.70

REVISED AFTER PROPOSAL		DATE	STATION	STATION	DESCRIPTION
NO. PROCESSED		DATE			
NEW DESIGN		DATE			
SHEET CHECKED	MIKE STEIN	DATE	03/23/2023		
AS BUILT DETAILS		DATE			



76 LF
10x4

Total Length 76 LF

NOTE:

- CONTRACTOR IS RESPONSIBLE FOR SEWER RE-DESIGN PLANNING. CONTRACTOR SHALL CONSULT WITH TOWN OF WRIGHT-PIERCE FOR ANY NECESSARY PERMITS AND REGULATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATIONS.
- THESE PLANS SHALL BE CONSIDERED AS APPROXIMATE. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS IN THE FIELD AND MAKE NECESSARY ADJUSTMENTS TO THE PLANS AS REQUIRED.
- THESE PLANS SHALL BE CONSIDERED AS APPROXIMATE. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS IN THE FIELD AND MAKE NECESSARY ADJUSTMENTS TO THE PLANS AS REQUIRED.

WRIGHT-PIERCE
STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION - SEWERAGE AND SANITATION DIVISION

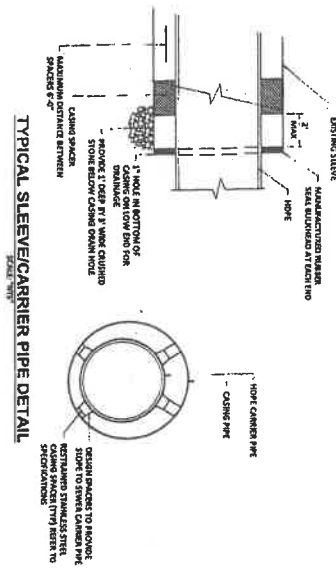
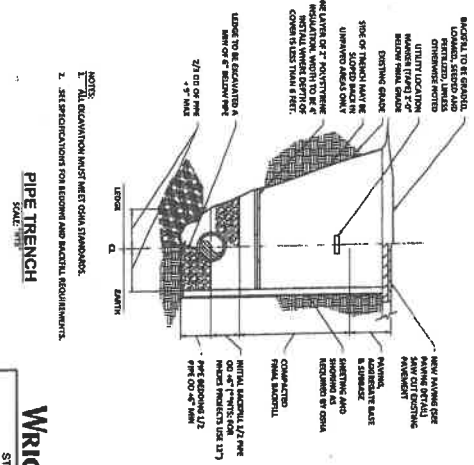
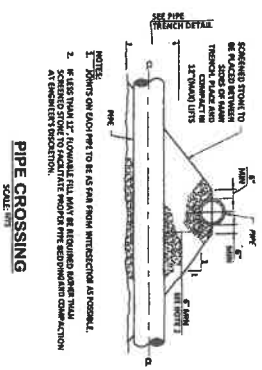
SEWER PLAN AND PROFILE

DATE PLOTTED	DATE PRINTED	SCALE	DATE	SCALE
03/23/2023	03/23/2023	AS SHOWN		

SQR PROCESSED		DATE	NUMBER	DATE	STATION	STATION	REVISIONS AFTER PROPOSAL	DESCRIPTION
NEW DESIGN		DATE						
SHEET CHECKED	MOCK ETEN	DATE 02/25/2023						
AS BUILT DETAILS		DATE						



ISSUED FOR BID
DATE 02/28/2023



DATE PREPARED	02/28/2023	BY	MOCK ETEN	DATE	02/28/2023
CHECKED		BY		DATE	
DATE		BY		DATE	

WRIGHT-PIERCE
STATE OF NEW HAMPSHIRE
REGISTERED PROFESSIONAL ENGINEER
DEPARTMENT OF TRANSPORTATION - BUREAU OF HIGHWAY DESIGN
SEWER DETAILS