

| ENGINEERS OPINION OF PROBABLE COST (REVISED FOR REBID) | | | | | |
|--|---|----------|------|---------------------|------------------|
| FOR | | | | | |
| TOWN OF ENFIELD NH ROUTE 4A SEWER EXTENSION PROJECT SHAKER LANDING PUMP | | | | | |
| STATION REPLACEMENT REBID | | | | | |
| PREPARED BY PATHWAYS CONSULTING, LLC (Project No. 10068-05) | | | | | |
| September 4, 2017 | | | | | |
| Item Number | Item Description | Quantity | Unit | ENGINEER'S EOPC | |
| | | | | EOPC Unit Price | EOPC Total Price |
| SH1.01 | Pump Station (Shaker Landing) | 1 | LS | \$125,000.00 | \$125,000.00 |
| SH1.02 | Decommissioning Existing Wastewater Components (Shaker Landing) | 1 | LS | \$5,000.00 | \$5,000.00 |
| SH1.03 | Fine Crushed Stone (NHDOT Item 304.4) | 140 | CY | \$32.00 | \$4,480.00 |
| SH1.04 | 3/4" Bluestone Surepak/HardPack From Local Source | 30 | CY | \$45.00 | \$1,350.00 |
| SH1.05 | Woven Filter Fabric (Below Access Road) | 360 | SY | \$3.00 | \$1,080.00 |
| SH1.06 | Common Excavation (Access Road) | 160 | CY | \$14.00 | \$2,240.00 |
| SH1.07 | 8" SDR35 PVC Sewer main | 250 | LF | \$58.00 | \$14,500.00 |
| SH1.08 | 4" Forcemain (DR 11 HDPE DIPS or SDR21 PVC) | 315 | LF | \$45.00 | \$14,175.00 |
| SH1.09 | Remove Existing Stone Wall and Stairs | 1 | LS | \$1,000.00 | \$1,000.00 |
| SH1.10 | 12" HDPE Culvert Pipe | 35 | LF | \$40.00 | \$1,400.00 |
| SH1.11 | Stone Masonry Headwalls | 4 | EA | \$650.00 | \$2,600.00 |
| SH1.12 | Restoration of Growth of Lawns and Grasses | 1 | LS | \$4,900.00 | \$4,900.00 |
| SH1.13 | Shaker Landing Pump Station Fence (4' High) | 113 | LF | \$24.00 | \$2,712.00 |
| SH1.14 | Shaker Landing Pump Station Fence Gate (4' High) | 1 | EA | \$1,500.00 | \$1,500.00 |
| SH1.15 | Relocate Existing Path Light (New Pole Base) | 1 | LS | \$1,000.00 | \$1,000.00 |
| SH1.16 | Core and Boot Existing Structure | 2 | EA | \$500.00 | \$1,000.00 |
| SH1.17 | Silt Fence | 1,000 | LF | \$3.50 | \$3,500.00 |
| SH1.18 | Erosion Blanket | 300 | SY | \$3.50 | \$1,050.00 |
| SH1.19 | 4' Diameter Sewer Manhole with Frame and Cover | 2 | EA | \$3,500.00 | \$7,000.00 |
| SH1.20 | Mobilization/Demobilization | 1 | LS | \$15,000.00 | \$15,000.00 |
| SH1.21 | Miscellaneous Work and Cleanup | 1 | LS | \$5,000.00 | \$5,000.00 |
| SH1.22 | Rock Excavation (Added in Rebid) | 10 | CY | \$250.00 | \$2,500.00 |
| SH1.23 | Standby Generator (Added in Rebid) | 1 | LS | \$30,000.00 | \$30,000.00 |
| Subtotal | | | | \$247,987.00 | |
| 10% Construction Contingency | | | | \$24,798.70 | |
| Engineer's Opinion of Probable Construction Cost | | | | \$272,785.70 | |
| Engineering Report Phase | | | | \$5,161.63 | |
| Engineering Design Phase | | | | \$35,291.63 | |
| Engineering Construction Phase | | | | \$35,233.22 | |
| Total Engineer's Opinion of Probable Cost | | | | \$348,472.18 | |

NOTE: This EOPC was established from the Final Design Drawings titled Town of Enfield NH Route 4A Sewer Extension Project, Shaker Landing Pump Station Replacement, Rebid. In providing this EOPC, the Client understands that Pathways Consulting, LLC (Pathways) has no control over the cost or availability of labor, equipment, materials, market conditions, the Contractor's method of pricing, or actual design components. All estimated costs are assumed for this EOPC, which was developed based on our experience with other similar projects. Pathways makes no warranty, express or implied, that the bids or the negotiated cost of the work will not vary from this EOPC.

1000 LEGALS

**ADVERTISEMENT
FOR BIDS**

The Town of Enfield, New Hampshire Invites sealed Bids for the NH Route 4A Sewer Extension Project "Shaker Landing Pump Station Replacement" Rebid.

The project includes construction of a new pump station with various components at the Shaker Landing Condominiums and decommissioning the existing septic tanks and pump station. Work is expected to begin in late September, 2017. Please be advised that a Pre-bid meeting will be held on August 23, 2017 at the Town of Enfield Department of Public Works Building meeting room (74 Lockehaven Road, Enfield, New Hampshire) at 2:00 p.m. All bidders are asked to attend, but attendance is not mandatory. Funding for this project includes federal funds from the New Hampshire Department of Environmental Services State Revolving Fund and is subject to all Federal requirements, including, but not limited to, Davis-Bacon Wage Rates, Section 3, Civil Rights, and Labor Standards. Project Contract Documents and Plans, shall be obtained at the office of Pathways Consulting, LLC (603-448-2200), for ninety dollars (\$90) non-refundable. An additional fifty dollars (\$50) will be charged for shipping fees non-refundable. Bidders must obtain Contract Documents and Plans from Pathways Consulting to be eligible for bidding. Plans and Contract Documents may be viewed at the offices of Pathways Consulting, LLC, 240 Mechanic Street, Suite 100, Lebanon, NH 03766, and the Town of Enfield, Department of Public Works, 74 Lockehaven Drive, Enfield, NH 03748. Sealed Bids will be received at the Enfield Town Hall, Office of the Town Manager, located at 23 Main Street, Enfield, NH, 03748 until 1:30 p.m., Eastern Time, on September 11, 2017, at which time they will be publicly opened and read aloud. Bidders should act promptly and submit all questions on the Project in writing to Jeff Durrell, Project Engineer at jeff.durrell@pathwaysconsult.com. All Bidder questions are due by September 1, 2017 at 5:00 p.m.

**FINAL BID TABULATION
FOR
TOWN OF ENFIELD NH ROUTE 4A SEWER EXTENSION PROJECT SHAKER LANDING PUMP STATION REPLACEMENT REBID
PREPARED BY PATHWAYS CONSULTING, LLC (Project No. 10068-05)
September 11, 2017**

| Item Number | Item Description | Quantity | Unit | CONKEY ENTERPRISES | | L&M SERVICE CONTRACTORS | | J.P. SICARD INC. | | T. BUCK CONSTRUCTION | |
|-----------------|--|----------|------|---------------------|---------------------|-------------------------|---------------------|------------------|-----------------|----------------------|-----------------|
| | | | | Bid Unit Price | Total Bid Price | Bid Unit Price | Total Bid Price | Bid Unit Price | Total Bid Price | Bid Unit Price | Total Bid Price |
| SH1.01 | Pump Station (Shaker Landing) | 1 | LS | \$148,900.00 | \$148,900.00 | \$225,000.00 | \$225,000.00 | \$201,100.00 | \$201,100.00 | \$269,216.00 | \$269,216.00 |
| SH1.02 | Decommissioning Existing Wastewater Components (Shaker Landing) | 1 | LS | \$5,000.00 | \$5,000.00 | \$5,000.00 | \$5,000.00 | \$8,325.00 | \$8,325.00 | \$15,500.00 | \$15,500.00 |
| SH1.03 | Fine Crushed Stone (NHDOT Item 304.4) | 140 | CY | \$40.00 | \$5,600.00 | \$42.00 | \$5,880.00 | \$48.00 | \$6,720.00 | \$45.00 | \$6,300.00 |
| SH1.04 | 3/4" Bluestone Surepak/HardPack From Local Source | 30 | CY | \$45.00 | \$1,350.00 | \$45.00 | \$1,350.00 | \$52.00 | \$1,560.00 | \$85.00 | \$2,550.00 |
| SH1.05 | Woven Filter Fabric (Below Access Road) | 360 | SY | \$1.50 | \$540.00 | \$2.00 | \$720.00 | \$2.00 | \$720.00 | \$3.25 | \$1,170.00 |
| SH1.06 | Common Excavation (Access Road) | 160 | CY | \$15.00 | \$2,400.00 | \$25.00 | \$4,000.00 | \$15.00 | \$2,400.00 | \$20.00 | \$3,200.00 |
| SH1.07 | 8" SDR35 PVC Sewer Main | 250 | LF | \$60.00 | \$15,000.00 | \$65.00 | \$16,250.00 | \$75.00 | \$18,750.00 | \$60.00 | \$15,000.00 |
| SH1.08 | 4" Forcemain (DR 11 HDPE DIPS or SDR21 PVC) | 315 | LF | \$40.00 | \$12,600.00 | \$65.00 | \$20,475.00 | \$56.00 | \$17,640.00 | \$50.00 | \$15,750.00 |
| SH1.09 | Remove Existing Stone Wall and Stairs | 1 | LS | \$1,200.00 | \$1,200.00 | \$1,750.00 | \$1,750.00 | \$1,300.00 | \$1,300.00 | \$250.00 | \$250.00 |
| SH1.10 | 12" HDPE Culvert Pipe | 35 | LF | \$40.00 | \$1,400.00 | \$45.00 | \$1,575.00 | \$84.00 | \$2,940.00 | \$85.00 | \$2,975.00 |
| SH1.11 | Stone Masonry Headwalls | 4 | EA | \$1,200.00 | \$4,800.00 | \$1,750.00 | \$7,000.00 | \$1,840.00 | \$7,360.00 | \$2,500.00 | \$10,000.00 |
| SH1.12 | Restoration of Growth of Lawns and Grasses | 1 | LS | \$8,500.00 | \$8,500.00 | \$10,000.00 | \$10,000.00 | \$8,215.00 | \$8,215.00 | \$5,000.00 | \$5,000.00 |
| SH1.13 | Shaker Landing Pump Station Fence (4' High) | 113 | LF | \$50.00 | \$5,650.00 | \$60.00 | \$6,780.00 | \$46.00 | \$5,198.00 | \$50.00 | \$5,650.00 |
| SH1.14 | Shaker Landing Pump Station Fence Gate (4' High) | 1 | EA | \$2,500.00 | \$2,500.00 | \$1,750.00 | \$1,750.00 | \$2,440.00 | \$2,440.00 | \$2,500.00 | \$2,500.00 |
| SH1.15 | Relocate Existing Path Light (New Pole Base) | 1 | EA | \$2,500.00 | \$2,500.00 | \$2,500.00 | \$2,500.00 | \$875.00 | \$875.00 | \$1,500.00 | \$1,500.00 |
| SH1.16 | Core and Boot Existing Structure | 2 | EA | \$1,200.00 | \$2,400.00 | \$1,250.00 | \$2,500.00 | \$625.00 | \$1,250.00 | \$750.00 | \$1,500.00 |
| SH1.17 | Silt Fence | 1,000 | LF | \$3.00 | \$3,000.00 | \$2.00 | \$2,000.00 | \$2.00 | \$2,000.00 | \$3.20 | \$3,200.00 |
| SH1.18 | Erosion Blanket | 300 | SY | \$2.50 | \$750.00 | \$3.00 | \$900.00 | \$3.00 | \$900.00 | \$2.50 | \$750.00 |
| SH1.19 | 4' Diameter Sewer Manhole with Frame and Cover | 2 | EA | \$3,700.00 | \$7,400.00 | \$3,900.00 | \$7,800.00 | \$5,480.00 | \$10,960.00 | \$3,300.00 | \$6,600.00 |
| SH1.20 | Mobilization/Demobilization | 1 | LS | \$7,500.00 | \$7,500.00 | \$18,000.00 | \$18,000.00 | \$68,800.00 | \$68,800.00 | \$44,000.00 | \$44,000.00 |
| SH1.21 | Miscellaneous Work and Cleanup | 1 | LS | \$20,000.00 | \$20,000.00 | \$1,000.00 | \$1,000.00 | \$6,100.00 | \$6,100.00 | \$2,400.00 | \$2,400.00 |
| SH1.22 | Rock Excavation (Added in Rebid) | 10 | CY | \$250.00 | \$2,500.00 | \$300.00 | \$3,000.00 | \$1,750.00 | \$17,500.00 | \$350.00 | \$3,500.00 |
| SH1.23 | Standby Generator Complete With Propane Fuel Supply (Added in Rebid) | 1 | LS | \$30,000.00 | \$30,000.00 | \$24,000.00 | \$24,000.00 | \$20,000.00 | \$20,000.00 | \$22,400.00 | \$22,400.00 |
| Subtotal | | | | \$291,490.00 | \$369,230.00 | \$413,053.00 | \$440,911.00 | | | | |
| | | | | ERROR IN TOTAL | | ERRORS IN BID | | | | | |

| BID TABULATION SUMMARY | | | | |
|-------------------------------|---------------------|-------------------------|---------------------|----------------------|
| | CONKEY ENTERPRISES | L&M SERVICE CONTRACTORS | J.P. SICARD | T. BUCK CONSTRUCTION |
| TOTAL Bid Amount | \$291,490.00 | \$369,230.00 | \$413,053.00 | \$440,911.00 |

REVIEW CHECKLIST

| | | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Bid Bond Included in Bid Package | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Acknowledge Addendum No. 1 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Bidder Checklist A3.2-3.3 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Bidder American Iron and Steel Acknowledgement | Not submitted | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| DBE Subcontractor Utilization Form (EPA Form 6100-4) | Not submitted | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Not submitted |
| DBE Subcontractor Performance Form (EPA Form 6100-3) | Not submitted | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

PATHWAYS CONSULTING, LLC

Planning • Civil & Environmental Engineering • Surveying • Construction Assistance
240 Mechanic Street • Suite 100
Lebanon, New Hampshire 03766
(603) 448-2200 • Fax: (603) 448-1221

September 21, 2017

Ryan Aylesworth, Town Manager
Town of Enfield
23 Main Street
Enfield, New Hampshire 03748

RE: RECOMMENDATION OF CONTRACT AWARD, TOWN OF ENFIELD, ROUTE 4A
SEWER EXTENSION PROJECT – SHAKER LANDING PUMP STATION
(Project No. 10068-05)


Dear Ryan:

We reviewed the bids submitted for the referenced project and have determined that Conkey Enterprises, LLC (Conkey) is the successful low bidder. Based on the written desire of the Shaker Landing Condominium Association to accept Conkey's bid, we recommend that the Town of Enfield award the project to Conkey for the full amount of \$291,490.00.

Please feel free to contact me if you have any questions.

Sincerely,

PATHWAYS CONSULTING, LLC



Rodrick J. Finley, P.E.
Vice President/Director of
Engineering Services

RJF:JDD:sef

cc: Jim Taylor
Robert Daniel, P.E.
Dan Fenno

Sarah Finley

From: Ray Stanford <stanford@sover.net>
Sent: Wednesday, September 13, 2017 2:18 PM
To: Rod Finley; Jeff Durell; 'Jim Taylor'; 'Ryan Aylesworth'
Subject: RE: Project 10068-05 - - Town of Enfield, NH Route 4A Sewer Extension Project- Shaker Landing Pump Station Replacement REBID- Acknowledgement and agreement to move ahead

SHAKER LANDING CONDOMINIUM ASSOCIATION

c/o Moseley Associates, Ltd
PO Box 706
White River Jct., VT 05001
1.802.296.2600

Attn: Rod Finley PE – Pathways Consulting
Jeff Durell – CPESC – Pathways Consulting
Ryan Aylesworth – Town of Enfield, Manager
Jim Taylor, Director of Public Works- Owners Representative

Dear Rod Finley PE et al,

This is to confirm my telephone conversation of yesterday 9/12/17 with Rod Finley PE- Pathways Consulting concerning the bids received on September 11, 2017 for Project 10068-05 - Shaker Landing Pump Station Replacement (Rebid).

At the Regular Monthly meeting of the Shake Landing Condominium Association - Board of Directors, the Board voted unanimously to authorize me to advise you to move ahead “with all deliberate haste” to install the Project 10068-05 Shaker Landing Pump Station & Emergency Generator. The Board is following the directive of a unanimous vote of a quorum of unit owners attending the SLCA Annual Meeting on August 26, 2017, which authorized the Board of Directors to proceed with the project.

Moving forward with the project, the Board of Directors requests clarification as to the following questions:

- 1) RE: Standby generator: Will the Town move ahead with a grant application for a NH Safety Department Homeland Security funding for the emergency generator which is an essential part of this project? It is understood that there are specific procedures the Town must follow to qualify for such a grant.
- 2) RE: Customer billing and rates: a) When will new rates be established to incorporate the addition of the pump station and generator. When can customers expect to see this in their quarterly bills?
- 3) RE: NH State Revolving Fund: a) Does the Association need to do anything further with respect to assuring the project meets NH SRF funding guidelines?
- 4) When will the project award be considered by the Select Board?



Ray Stanford - Property Manager
Moseley Associates, Ltd. - Managing Agent
1.802.296.2600
stanford@sover.net
moseley@sover.net

BID

Proposal of Conkey Enterprises (hereinafter called "BIDDER"), organized and existing under the laws of the State of New Hampshire doing business as Conkey Enterprises LLC (Corporation, Partnership, Individual)

To the Town of Enfield (hereinafter called "OWNER").

In compliance with your Advertisement for Bids, BIDDER hereby proposes to perform all WORK For the construction of Town of Enfield, NH Route 4A Sewer Extension Project, "Shaker Landing Pump Station Replacement" (Rebid) in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to the BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in the NOTICE TO PROCEED and to complete the PROJECT within:

60 Calendar days for substantial completion (Winter Shutdown)

81 Calendar days for final completion (Expected in Spring of 2018)

Liquidated damages will be in the amount of \$ 400 for each calendar day of delay from the date established for substantial completion and \$ 200 for each calendar day of delay from the date established for final completion, as provided in Section 18 of the General Conditions.

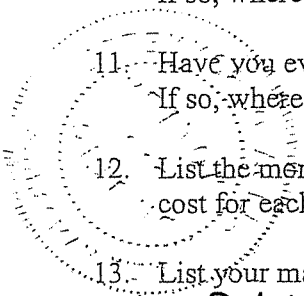
BIDDER acknowledges receipt of the following ADDENDUM:

Addendum #1 Contractor Question and Discussions

The Bidder shall state below what works of a similar character to that of the proposed contract he has performed, and provide such references as will enable the Owner to judge his experience, skill, and business standing.

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. If necessary, add separate sheets.

1. Name of Bidder. *Conkey Enterprises*
2. Permanent Main Office address. *146 Goose Pond Road Canaan NH 03741*
3. When organized? *Conkey Enterprises LLC*
4. Where incorporated? *1991*
5. Is bidder registered with the Secretary of the State to do business in New Hampshire? *Yes*
6. For how many years has your firm engaged in the contracting business under its present name? Also state names and dates of previous firm names, if any. *25 years*
7. Contracts on hand. (Schedule these, showing gross amount of each contract and the approximate anticipated dates of completion.)
8. General character of work performed by your company. *side work, trucking, sales of sand & Gravel*
9. Have you ever failed to complete any work awarded you in the scheduled contract time, including approved time extensions? ___(Yes) (No).
If so, where and why?
10. Have you ever defaulted on a contract? ___(Yes) (No).
If so, where and why?
11. Have you ever had liquidated damages assessed on a contract? ___(Yes) (No).
If so, where and why?
12. List the more important contracts recently executed by your company, stating approximate cost for each, and the month and year completed. *B) Gay Lab. NH - 538K 2016
Mascota mod. Centr 310K 2016
Dollar General 287K 2016
Dollar 270K 2015*
13. List your major equipment available for this contract. *345B / 330P / 346E / 307D Excavators 242 stud store D) 12030 Family*
14. List your key personnel such as Project Superintendent and foreman available for this contract. *Ron Woodland*
15. List any subcontractors whom you would expect to use for the following (unless this work is to be done by your own organization): *William Warner*
 - a. Civil Engineering
 - b. Utility Installation
 - c. Other work



16. With what banks do you conduct business? Muscoma Bank

Do you grant the Engineer permission to contact this (these) institutions? (Yes) (No)

NOTE: Bidders may be required to furnish their latest financial statement as part of the award process.

Respectfully submitted:

Art Conkey
Signature

146 Goose Pond Road Conger, NH
Address

manager
Title

Date

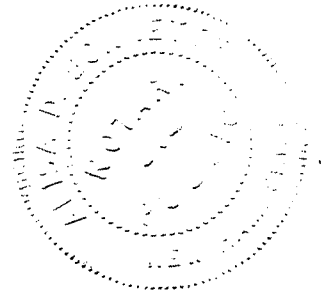
Art Conkey Being duly sworn, deposes and says that he is
Manager of Conkey Enterprises
(Name of Organization)
and that the answers to the foregoing questions and all statements contained therein are true and correct.

Sworn to before me this 11th day of September, 20 17

Alisa D Bonnette
ALISA D. BONNETTE
Notary Public - New Hampshire
Notary Public

My commission expires My Commission Expires June 7, 2022

(Seal - If BID is by Corporation)



ATTEST: _____

BIDDER agrees to perform all the work described in the CONTRACT DOCUMENTS for the following unit prices or lump sum:

NOTE: BIDS shall include sales tax and all other applicable taxes and fees.

A-3.4
BID SCHEDULE

Please find attached Bid Proposal following this form.

Notes:

1. All prices must be written in ink. Unit prices must be written in words as well as figures for the entire proposal. In case of discrepancy, the amount written in words shall govern.
2. Measurement and Payment for all bid items shall be in accordance with section 01 15 00 "Measurement and Payment".
3. BIDS for this WORK will be compared on the basis of the aggregate sums of the products of the various unit prices and lump sum items multiplied by the quantities given in the Bid Schedule. Equal items in all sections of each individual bid proposal shall have the same unit price. All work depicted on the drawings or required by the Contract Documents that does not have a specific pay item shall be considered subsidiary and incidental to the contract.
4. Successful Bidder determination shall be based on a review of the Total Base Bid as provided in the "Bid Proposal" and all other information provided in the "Bid". Award will be made to the lowest responsive and responsible Bidder. Determination of the Successful Bidder shall be made on the basis of the lowest total cost for the bid that allows the Owner to complete the maximum amount of work possible with the available budget.

The BIDDER must submit the following additional documents with the bid:

The BIDDER hereby certifies, by checking the boxes below, that the following documents are included with this bid proposal

- Bid Bond (or certified check) (Pages A-4.1 and A-4.2)
- DBE Subcontractor Utilization Form (EPA Form 6100-4)
- DBE Subcontractor Performance Forms (EPA Form 6100-3) **Submit one form for each DBE subcontractor**
- Bidder's American Iron and Steel acknowledgement

A-3.5

TOWN OF ENFIELD NH ROUTE 4A SEWER EXTENSION PROJECT
 BASE BID (SHAKER LANDING PUMP STATION REPLACEMENT REBID)

BID PROPOSAL

| BID ITEM | EST. QUANT. | DESCRIPTION | UNIT PRICE | AMOUNT |
|----------|-------------|---|---------------|---------------|
| | | UNIT BID PRICE IN WORDS | IN FIGURES | IN FIGURES |
| SH1.01 | 1 | PUMP STATION (SHAKER LANDING) | | |
| | LS | | \$ 148,900.00 | \$ 148,900.00 |
| SH1.02 | 1 | DECOMMISSIONING EXISTING WASTEWATER COMPONENTS (SHAKER LANDING) | | |
| | LS | | \$ 5,000.00 | \$ 5,000.00 |
| SH1.03 | 140 | FINE CRUSHED STONE (NHDOT ITEM 304.4) | | |
| | CY | | \$ 40.00 | \$ 5,600.00 |
| SH1.04 | 30 | ¾" BLUESTONE SUREPAK/HARDPAK FROM LOCAL SOURCE | | |
| | CY | | \$ 45.00 | \$ 1,350.00 |
| SH1.05 | 360 | WOVEN FILTER FABRIC (BELOW ACCESS ROAD) | | |
| | SY | | \$ 1.50 | \$ 540.00 |
| SH1.06 | 160 | COMMON EXCAVATION (ACCESS ROAD) | | |
| | CY | | \$ 15.00 | \$ 2,400.00 |
| SH1.07 | 250 | 8" SDR35 PVC SEWER MAIN | | |
| | LF | | \$ 60.00 | \$ 15,000.00 |
| SH1.08 | 315 | 4" FORCEMAIN (DR11 HDPE DIPS OR SDR 21 PVC) | | |
| | LF | | \$ 40.00 | \$ 12,600.00 |
| SH1.09 | 1 | REMOVE EXISTING STONE WALL AND STAIRS | | |
| | LS | | \$ 1,200.00 | \$ 1,200.00 |
| SH1.10 | 35 | 12" HDPE CULVERT PIPE | | |
| | LF | | \$ 40.00 | \$ 1,400.00 |
| SH1.11 | 4 | STONE MASONRY HEADWALLS | | |
| | EA | | \$ 1,200.00 | \$ 4,800.00 |
| SH1.12 | 1 | RESTORATION OF GROWTH OF LAWNS AND GRASSES | | |
| | LS | | \$ 8,500.00 | \$ 8,500.00 |

TOWN OF ENFIELD NH ROUTE 4A SEWER EXTENSION PROJECT
 BASE BID (SHAKER LANDING PUMP STATION REPLACEMENT REBID)
 BID PROPOSAL

| BID ITEM | EST. QUANT. | DESCRIPTION UNIT BID PRICE IN WORDS | UNIT PRICE IN FIGURES | AMOUNT IN FIGURES |
|----------|-------------|--|--------------------------|----------------------|
| SH1.13 | 113 | SHAKER LANDING PUMP STATION FENCE (4' HIGH) | | |
| | LF | | \$ 50,00 | \$ 5650,00 |
| SH1.14 | 1 | SHAKER LANDING PUMP STATION FENCE GATE (4' HIGH) | | |
| | EA | | \$ 2500,00 | \$ 2500,00 |
| SH1.15 | 1 | RELOCATE EXISTING PATH LIGHT (NEW POLE BASE) | | |
| | EA | | \$ 2500,00 | \$ 2500,00 |
| SH1.16 | 2 | CORE AND BOOT EXISTING STRUCTURE | | |
| | EA | | \$ 1200,00 | \$ 2400,00 |
| SH1.17 | 1,000 | SILT FENCE | | |
| | LF | | \$ 3,00 | \$ 3000,00 |
| SH1.18 | 300 | EROSION BLANKET | | |
| | SY | | \$ 2,50 | \$ 750,00 |
| SH1.19 | 2 | 4' DIAMETER SEWER MANHOLE WITH FRAME AND COVER | | |
| | EA | | \$ 3700,00 | \$ 7400,00 |
| SH1.20 | 1 | MOBILIZATION/DEMobilIZATION | | |
| | LS | | \$ 7500,00 | \$ 7500,00 |
| SH1.21 | 1 | MISCELLANEOUS WORK AND CLEANUP | | |
| | LS | | \$ 20000,00 | \$ 20000,00 |
| SH 1.22 | 10 | ROCK EXCAVATION | | |
| | CY | | 250,00 | 2500,00 |
| SH1.23 | 1 | STANDBY GENERATOR (COMPLETE WITH PROPANE FUEL SUPPLY) | | |
| | LS | | \$ 30000,00 | \$ 30,000,00 |

TOWN OF ENFIELD NH ROUTE 4A SEWER EXTENSION PROJECT
BASE BID (SHAKER LANDING PUMP STATION REPLACEMENT REBID)
TOTAL BID SUMMARY
BID PROPOSAL

BASE BID (SHAKER LANDING PUMP STATION REPLACEMENT) SHEET SUMMARY

| | | |
|-------------------------------------|----|-------------------|
| Subtotal, Page 3.5 | \$ | <u>206,090.00</u> |
| Subtotal, Page 3.6 | \$ | <u>42,200.00</u> |
| TOTAL SHAKER LANDING BASE BID PRICE | \$ | <u>248,290.00</u> |

two hundred ~~eighty~~ ^{ninety} thousand two hundred ninety dollars ⁰⁰/₁₀₀
Total Base Bid Price in Words

A. J. Cooke
(Signature of BIDDER)

Manager
(Title of BIDDER)

146 Goose Pond Road Conger NH 03741
(Business Address of BIDDER)

(Town) (State) (Zip Code)

Dated at: 9/14/17 this 11th day of Sept., 2017



CONKENT-01

SLAVALLEE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/06/2017

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 Colby Insurance Group Inc 276 Newport Road Suite 211 New London, NH 03257 | CONTACT NAME: PHONE (A/C, No, Ext): (603) 526-2451 | FAX (A/C, No): (603) 526-2903 |
| | E-MAIL ADDRESS: insure@colby-group.com | |
| INSURED Conkey Enterprises, LLC Art Conkey 146 Goose Pond Road Canaan, NH 03741 | INSURER(S) AFFORDING COVERAGE | |
| | INSURER A : Ohio Mutual Ins Group | |
| | INSURER B : Great Falls Insurance Company | |
| | INSURER C : | |
| | INSURER D : | |
| | INSURER E : | |

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 INSD | SUBR WVD | 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 checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER: | X | | CPP0021119 | 10/23/2016 | 10/23/2017 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$ 2,000,000 |
| A | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY | | | CPP0015008 | 07/01/2017 | 07/01/2018 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 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 | <input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input checked="" type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below | Y | N/A | WCD0929870017 | 07/01/2017 | 07/01/2018 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Arthur Conkey is an Excluded Officer under the Workers Compensation Policy.

re: Town of Enfield, NH Route 4A Sewer Extension Project Shaker Landing Pump Station Replacement Project #CS-330167-04

The Town of Enfield, NH and Shaker Landing Condominium Association are additional insured's with regard to the above where required by written contract.

10 Days Written Notice of Cancellation applies per State of NH laws.

| | |
|---|--|
| CERTIFICATE HOLDER Town of Enfield 23 Main Street PO Box 373 Enfield, NH 03748 | CANCELLATION 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  |
|---|--|

A-3.8
BID BOND

Bond Number: 71949749

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, _____
_____ Conkey Enterprises, LLC _____ as Principal, and
_____ Western Surety Company _____ as Surety, are hereby
held and firmly bound unto _____ Town of Enfield _____ as OWNER
in the penal sum of _____ 5% of Bid Amount _____
for the payment of which, well and truly to be made, we hereby jointly and severally bind
ourselves, successors and assigns.

Signed, this _____ 11th _____ day of _____ September, 2017 _____

The Condition of the above obligation is such that whereas the Principal has submitted to

_____ Town of Enfield _____

a certain BID, attached hereto and hereby made a part hereof to enter into a contract in writing, for
the _____ NH Route 4A Sewer Extension Project, "Shaker Landing Pump Station Replacement" _____

NOW, THEREFORE,

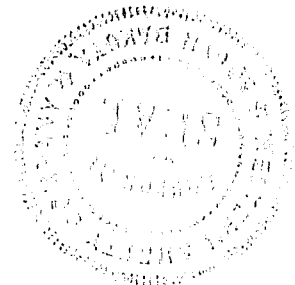
- (a) If said BID shall be rejected, or
- (b) If said BID shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (Properly completed in accordance with said BID) and shall furnish a BOND for faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID, then this obligation shall be void, otherwise, the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Conkey Enterprises, LLC
Principal
By: Art Conkey

Western Surety Company
Surety
By: Patricia A. Tinsman
Patricia A. Tinsman, Attorney-In-Fact



IMPORTANT-Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state of New Hampshire.

POWER OF ATTORNEY

(Irrevocable)

No. SP-

26257673

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired. That Western Surety Company, a corporation, does hereby make, constitute and appoint the following

TWO 2 authorized individuals:

| AUTHORIZED INDIVIDUALS | AUTHORIZED INDIVIDUALS |
|------------------------|------------------------|
| JOHN D WEISBROT | PATRICIA A TINSMAN |

in the City of **PIPERSVILLE**, State of **PENNSYLVANIA**, with limited authority, its true and lawful Attorney(s) in fact with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond:

ONE CONTRACT SURETY: BID, PERFORMANCE AND PAYMENT BOND, UNDERTAKING, OR OTHER OBLIGATORY INSTRUMENT OF A SIMILAR NATURE IN AMOUNTS NOT EXCEEDING ONE MILLION AND NO/100 DOLLARS (1,000,000.00).**

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of **JUNE 30, 2022**, but until such time shall be irrevocable and in full force and effect.

WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of Western Surety Company, duly adopted and now in force, to wit: "Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

The penal amount of the bond herein described may be increased if there is attached to this Power, written authority so authorizing in the form of an endorsement, letter or telegram signed by the Underwriting Manager, Underwriting Consultant, Underwriting Specialist, Underwriter, President, Vice President, Assistant Vice President, Treasurer, Secretary or Assistant Secretary of Western Surety Company specifically authorizing said increase.

IN WITNESS WHEREOF, Western Surety Company has caused these presents to be executed by its Vice President with its corporate seal affixed this 13th day of June, 2016.

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA

} ss.

By

Paul T. Bruffat
Vice President

On this 13th day of June, in the year 2016, before me, a Notary Public, personally appeared Paul T. Bruffat, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



J. Mohr
Notary Public, South Dakota

I, the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

In testimony whereof, I have hereunto set my hand and the seal of Western Surety Company this * 11th day of September 2017

*** IMPORTANT: This date must be filled in before it is attached to the bond and it must be the same date as the bond.**

By

Paul T. Bruffat
Vice President

Form 749-6-2016

To validate bond authenticity, go to www.westernsurety.com > Owner/Obligee Services > Validate Bond Coverage.

NOTICE: This border must be BLUE. If it is not BLUE, this is not a certified copy. —>

WESTERN SURETY COMPANY
Sioux Falls, South Dakota
Statement of Net Admitted Assets and Liabilities
December 31, 2016

ASSETS

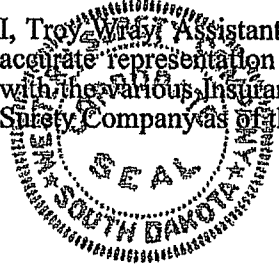
| | |
|---|--------------------------------|
| Bonds | \$ 1,852,079,625 |
| Common stocks | 22,190,065 |
| Cash, cash equivalents, and short-term investments | 40,860,171 |
| Investment income due and accrued | 21,267,722 |
| Premiums and considerations | 31,990,790 |
| Amounts recoverable from reinsurers | 919,390 |
| Current federal and foreign income taxes recoverable from CNA Financial Corporation | 3,116,372 |
| Net deferred tax asset | 16,401,098 |
| Receivable from parent, subsidiaries, and affiliates | 9,896,461 |
| Other assets | 62,275 |
| Total Assets | <u><u>\$ 1,998,783,969</u></u> |

LIABILITIES AND SURPLUS

| | |
|---|------------------------------|
| Losses | \$ 229,857,438 |
| Loss adjustment expense | 68,982,110 |
| Commissions payable, contingent commissions and other similar charges | 7,779,628 |
| Other expenses (excluding taxes, license and fees) | 1,109,441 |
| Taxes, License and fees (excluding federal and foreign income taxes) | 2,678,781 |
| Unearned premiums | 213,765,490 |
| Advance premiums | 5,316,156 |
| Ceded reinsurance premiums payable | 1,730,621 |
| Amounts withheld or retained by company for account of others | 10,021,647 |
| Provision for reinsurance | 1,671,808 |
| Payable to parent, subsidiaries and affiliates | 12,103 |
| Other liabilities | 3,447,756 |
| Total Liabilities | <u><u>\$ 546,372,979</u></u> |

| | |
|---------------------------------------|--------------------------------|
| Surplus Account: | |
| Common stock | \$ 4,000,000 |
| Gross paid in and contributed surplus | 280,071,837 |
| Unassigned funds | <u>1,168,339,153</u> |
| Surplus as regards policyholders | <u>\$ 1,452,410,990</u> |
| Total Liabilities and Capital | <u><u>\$ 1,998,783,969</u></u> |

I, Troy Wray, Assistant Vice President of Western Surety Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2016, as filed with the various Insurance Departments and is a true and correct statement of the condition of Western Surety Company as of that date.

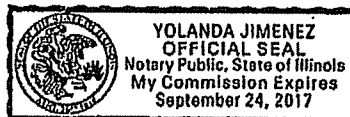


Western Surety Company

By Troy Wray
Assistant Vice President

Subscribed and sworn to me this 10th day of March, 2017

My commission expires:



Yolanda Jimenez
Notary Public

PATHWAYS CONSULTING, LLC

Planning • Civil & Environmental Engineering • Surveying • Construction Assistance
240 Mechanic Street • Suite 100
Lebanon, New Hampshire 03766
(603) 448-2200 • Fax: (603) 448-1221

September 21, 2017

Ryan Aylesworth, Town Manager
Town of Enfield
23 Main Street
Enfield, New Hampshire 03748

RE: TOWN OF ENFIELD, ROUTE 4A SEWER EXTENSION PROJECT – SHAKER
LANDING PUMP STATION (Project No. 10068-05)


Dear Ryan:

To the best of our belief and knowledge, we certify that all necessary permits, land acquisitions, and easements have been secured for the above referenced project.

Please feel free to contact me if you have any questions.

Sincerely,

PATHWAYS CONSULTING, LLC



Rodrick J. Finley, P.E.
Vice President/Director of
Engineering Services

RJF:JDD:sef

cc: Jim Taylor
Robert Daniel, P.E.
Dan Fenno

ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF WATER PROGRAMS OPERATIONS
CERTIFICATION OF NONSEGREGATED FACILITIES

(Applicable to federally assisted construction contracts and related subcontracts exceeding \$10,000 which are not exempt from the Equal Opportunity clause.*)

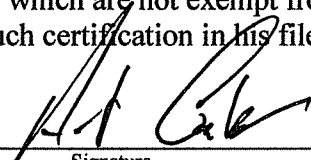
The federally assisted construction contractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained.

The federally assisted construction contractor certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained.

The federally assisted construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract.

As used in this certification, the term "segregated facilities" means any waiting rooms, work area, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise.

The federally assisted construction contractor agrees that (except where he had obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certification in his files.

 9/14/17
Signature Date

Art Conkey Manager
Name and Title of Signer (Please Type)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

***This document must be completed by the successful bidder and bound in the executed contract.**

D-7.11

American Iron and Steel

BIDDER'S AMERICAN IRON AND STEEL ACKNOWLEDGEMENT

Instructions: This acknowledgement form must be completed and signed by the Bidder's authorized representative, and conveyed to Owner with bid submittal.

Project Name: Town of Enfield, NH Route 4A Sewer Extension Project, Shaker Landing Pump Station Replac (Rebid)
City/Town/Entity: Enfield
Bidder Name: A Conkey Enterprises LLC
Bidder Address: 146 Goose Pond Road Coeasset NH 03741

With submittal of this Bid, the Bidder acknowledges to and for the benefit of the Owner and the State of New Hampshire (State) that it understands that this project is subject to the "American Iron and Steel (AIS)" requirement of P.L. 113-76, Consolidated Appropriation Act, 2014, Water Resources Reform and Development Act of 2014, the Consolidated and Further Continuing Appropriations Act, 2015, and/or P.L. 114-113, the Consolidated Appropriations Act, 2016 that requires all of the iron and steel used in the project be produced in the United States ("American Iron and Steel Requirement") including all iron and steel goods provided by the Bidder pursuant to this Bid.

The Bidder hereby presents and warrants to and for the benefit of the Owner and State that (a) the Bidder has reviewed and understands the American Iron and Steel Requirement, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Bidder will provide any further verified information, certification or assurance of compliance with this Acknowledgement, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Owner or the State

Notwithstanding any other provision of the Contract Documents, any failure to comply with this Acknowledgement by the Bidder shall permit the Owner or State to recover as damages against the Bidder any loss, expense, or cost (including without limitation attorney's fees) incurred by the Owner or State resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the State or any damages owed to the State by the Owner).

Additionally, The Bidder hereby acknowledges that Bidder must include in all contracts and purchase agreements for this project the following American Iron and Steel contract language:

"Conkey Enterprises (Subcontractor/Supplier) acknowledges to and for the benefit of the Town of Enfield (Owner) and the State of New Hampshire (State) that it understands the goods and service under this contract or purchase agreement (Agreement) are being funded with monies that are subject to statutory requirements commonly known as "American Iron and Steel;" (P.L. 113-76, Consolidated Appropriation Act, 2014, Water Resources Reform and Development Act of 2014, the Consolidated and Further Continuing Appropriations Act, 2015 and/or P.L. 114-113, the Consolidated Appropriations Act, 2016) that requires all of the iron and steel products used in the project to be produced in the United States ("American Iron and Steel Requirement") including iron and steel products provided under this contract or Agreement. The Subcontractor/Supplier hereby represents and warrants to and for the benefit of the Owner and the State that (a) the Subcontractor/Supplier has reviewed and understands the American Iron and Steel Requirement, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Subcontractor/Supplier will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Owner or the State.

[Signature]
(Signature of Certifying Bidder Representative)

9/11/17
(Date)

D-7.12

American Iron and Steel

DE MINIMIS WAIVER



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF WATER

DECISION MEMORANDUM

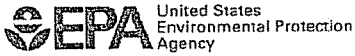
SUBJECT: De Minimis Waiver of Section 436 of P.L. 113-76, Consolidated Appropriations Act (CAA), 2014

FROM: Nancy K. Stoner
Acting Assistant Administrator

The EPA is hereby granting a nationwide waiver pursuant to the "American Iron and Steel (AIS)" requirements of P.L. 113-76, Consolidated Appropriations Act, 2014 (Act), section 436 under the authority of Section 436(b)(1) (public interest waiver) for de minimis incidental components of eligible water infrastructure projects. This action permits the use of products when they occur in de minimis incidental components of such projects funded by the Act that may otherwise be prohibited under section 436(a). Funds used for such de minimis incidental components cumulatively may comprise no more than a total of 5 percent of the total cost of the materials used in and incorporated into a project; the cost of an individual item may not exceed 1 percent of the total cost of the materials used in and incorporated into a project.

P.L. 113-76, Consolidated Appropriations Act, 2014 (Act), includes an "American Iron and Steel" (AIS) requirement in section 436 that requires Clean Water State Revolving Loan Fund (CWSRF) and Drinking Water State Revolving Loan Fund (DWSRF) assistance recipients to use specific domestic iron and steel products that are produced in the United States if the project is funded through an assistance agreement executed beginning January 17, 2014 (enactment of the Act), through the end of Fiscal Year 2014, unless the agency determines it necessary to waive this requirement based on findings set forth in Section 436(b). The Act states, "[the requirements] shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency... finds that— (1) applying subsection (a) would be inconsistent with the public interest" 436(b)(1).

In implementing section 436 of the Act, the EPA must ensure that the section's requirements are applied consistent with congressional intent in adopting this section and in the broader context of the purposes, objectives, and other provisions applicable to projects funded under the SRF. Water infrastructure projects typically contain a relatively small number of high-cost components incorporated into the project. In bid solicitations for a project, these high-cost components are generally described in detail via project specific technical specifications. For these major components, utility owners and their contractors are generally familiar with the conditions of availability, the potential alternatives for each detailed specification, the approximate cost, and the country of manufacture of the available components.



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

| | | | |
|---|--|--|--|
| Subcontractor Name <i>Pathway Consulting</i> | | Project Name <i>Shaker Landing Pump Station</i> | |
| Bid/ Proposal No. | Assistance Agreement ID No. (if known) | Point of Contact <i>Rod</i> | |
| Address <i>240 Mechanic Street Suite 100</i> | | | |
| Telephone No. <i>603-448-2200 Ext 104</i> | | Email Address <i>rod@pathwayse.com</i> | |
| Prime Contractor Name <i>Rod Finley</i> | | Issuing/Funding Entity: | |

| Contract Item Number | Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies | Price of Work Submitted to the Prime Contractor |
|---|---|--|
| | <i>lay out of pump station, valve vault sewer, man holes, force main and gut bank me</i> | <i>1500.00</i> |
| DBE Certified By: <input checked="" type="radio"/> DOT <input checked="" type="radio"/> SBA | | Meets/ exceeds EPA certification standards? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown |
| <input type="radio"/> Other: _____ | | |

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

| | |
|-----------------------------------|---------------------|
| Prime Contractor Signature | Print Name |
| <i>[Handwritten Signature]</i> | <i>Art Coker Jr</i> |
| Title | Date |
| <i>manager</i> | <i>9/18/12</i> |

| | |
|--------------------------------|-------------------|
| Subcontractor Signature | Print Name |
| | |
| Title | Date |
| | |

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE¹ subcontractors² and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

| | | | |
|--|--|--|--|
| Prime Contractor Name <i>Conkey Enterprises LLC</i> | | Project Name <i>Shaker Landing Pump Station</i> | |
| Bid/ Proposal No. | Assistance Agreement ID No. (if known) | Point of Contact | |
| Address <i>146 Goose Pond Road Concord NH 03741</i> | | | |
| Telephone No. <i>603-632-5005</i> | | Email Address <i>Art.Conkey@CMAil.com</i> | |
| Issuing/Funding Entity: | | | |

| I have identified potential DBE certified subcontractors | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
|---|---|--------------------------|--------------------------|
| If yes, please complete the table below. If no, please explain: | | | |
| <input type="radio"/> <input type="radio"/> | | | |
| Subcontractor Name/ Company Name | Company Address/ Phone/ Email | Est. Dollar Amt | Currently DBE Certified? |
| <i>Pathway Consulting</i> | 387 <i>240 Mechanic Street Lebanon NH 03766 603-448-2200</i> | <i>1500.-</i> | <i>Yes</i> |
| <i>Electrical Installations</i> | <i>397 Whittier Hwy Moultonboro NH 03254 603-253-4525</i> | | <i>Yes</i> |
| Continue on back if needed | | | |

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Utilization Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

| | |
|-----------------------------------|---------------------|
| Prime Contractor Signature | Print Name |
| <i>[Handwritten Signature]</i> | <i>Ad Conkey Jr</i> |
| Title | Date |
| <i>manager</i> | <i>9/18/12</i> |

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



Town of Enfield

Office of the Town Manager
23 Main Street, P.O. Box 373
Enfield, New Hampshire 03748
VOICE/TDD 603-632-5026 * FAX 603-632-5182
EMAIL: raylesworth@enfield.nh.us

September 20, 2017

Ms. Beth Malcolm
Department of Environmental Services
29 Hazen Drive/PO Box 95
Concord, NH 03302-0095

Dear Ms. Malcolm:

Per the bidding/contract procedures and documentation requirements (Item #6K in particular) articulated in a letter Mr. Robert Daniel of NH-DES prepared in August 2017, I am writing to certify that the Town of Enfield retained a DES-prequalified engineering firm to provide construction phase engineering services on the Shaker Landing Pump Station Replacement Project (WEB Project #D2017-0707 - CWSRF Project No. CS-330167-04). The firm selected was Pathways Consulting, LLC, and the company was secured using a qualifications-based selection process and a DES standard engineering contract.

I hope that this letter satisfies the procedural requirement identified in Item #6K of Mr. Daniel's prior letter. Please do not hesitate to contact me (603-442-5405 | raylesworth@enfield.nh.us) if you have any additional questions or need for clarification.

Sincerely,

Ryan J. Aylesworth
Town Manager