



TOWN OF DURHAM

8 Newmarket Road
Durham, NH 03824
Tel: 603-868-5571
Fax: 603-868-1858
www.ci.durham.nh.us

NOTICE: Although members of the Town Council will be meeting in the Council chambers, the Council meetings are still available for members of the public to participate via Zoom or in-person.

AGENDA

DURHAM TOWN COUNCIL

MONDAY, JUNE 6, 2022

DURHAM TOWN HALL – COUNCIL CHAMBERS

7:00 PM

NOTE: The Town of Durham requires 48 hours notice if special communication aids are needed.

- I. Call to Order
- II. Town Council grants permission for fewer than a majority of Councilors to participate remotely
- III. Roll Call of Members. Those members participating remotely state why it is not reasonably practical for them to attend the meeting in-person
- IV. Approval of Agenda
- V. Special Announcements – None
- VI. Public Comments (*) – **Please state your name and address before speaking**
- VII. Approval of Minutes – April 4, 2022
- VIII. Councilor and Town Administrator Roundtable
- IX. Report from the UNH Student Senate External Affairs Chair or Designee
- X. **Unanimous Consent Agenda** (*Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote*)
 - A. Shall the Town Council schedule a Public Hearing for Monday, June 20, 2022, on a resolution to authorize the acceptance and expenditure of an American Rescue Plan Act (ARPA) grant from the New Hampshire Department of Environmental Services in the amount of up to \$100,000 for the West End Sewer Planning Study Project and authorizing the Administrator to sign and submit grant documents on behalf of the Town of Durham?

- B. Shall the Town Council schedule a Public Hearing for Monday, June 20, 2022, on a resolution to authorize the acceptance and expenditure of an American Rescue Plan Act (ARPA) grant from the New Hampshire Environmental Services for partial funding up to \$284,226 for restoration of the Oyster River through removal of the Mill Pond Dam and authorize the Administrator to sign a grant agreement and associated documents?
- C. Shall the Town Council, upon recommendation of the DPW and Administrator, authorize the Administrator to:
 - 1. Sign a contract in the amount of \$698,600 with Pichette Bros. Construction of Manchester, NH for Emerson Road watermain and roadway construction improvements, subject to available funding; and
 - 2. Sign a contract in the amount of 96,300 with Underwood Engineers of Portsmouth, NH for Emerson Road Construction Phase Engineering Services, subject to available funding?
- D. Shall the Town Council, Upon Recommendation of the DPW and Administrator:
 - 1. Authorize the Administrator to Transfer Funds from 2021 Capital Equipment Purchase Revenue and Expenditure Accounts listed Under Financial Details to the 2022 Dump Truck Replacement Purchase Account 07-2203-800;
 - 2. Authorize the Purchase of a New 2023 HV 507 SFA 6-Wheel International Dump Truck with Cummins L9 Diesel Engine from Allegiance Truck s of Manchester, NH in the Amount of \$99,795 From Account 07-2203-800; and
 - 3. Authorize the Purchase of a New 2022 Model SL2418 Swap Loader Dump Truck Body with Stainless Steel Dump Body, Skidded Sander, Front and Wing Plows and Cirus Dual Spread Sander Control from Viking Cives of Lewiston, Maine in the Amount of \$134,430 From Account 07-2203-800?

XI. Committee Appointments - None

XII. Presentation Items

- A. Receive report on Conservation Commission activities and projects – Jacob Kritzer, Chair, Conservation Commission
- B. Receive report on Historic District/Heritage Commission activities and projects – Larry Brickner-Wood, Chair, HDC/HC

XIII. Unfinished Business

- A. **PUBLIC HEARING AND ACTION ON RESOLUTION #2022-08** authorizing the acceptance and expenditure of \$13,500 in unanticipated revenue from the NH Land and Community Heritage Investment Program (LCHIP) for a planning study being conducted on the historic character and preservation values of the 1804 Bickford-Chesley House at Wagon Hill Farm
- B. **PUBLIC HEARING AND ACTION ON RESOLUTION #2022-09 to:**
 - 1. Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With Funds to Come From a Clean Water State Revolving Fund Loan, of Which \$57,575 Loan Principal Forgiveness to be Forgiven, and \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Madbury Road Culvert Project;

2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Madbury Road Culvert Project;
3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Madbury Road Culvert Project; and
4. Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Madbury Road Culvert Project?

C. PUBLIC HEARING AND ACTION ON RESOLUTION #2022-10 to:

1. Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With Funds to Come From a Clean Water State Revolving Fund Loan, of Which \$57,575 Loan Principal Forgiveness to be Forgiven, and \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Edgewood Road Culvert Project;
2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Edgewood Road Culvert Project;
3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Edgewood Road Culvert Project; and
4. Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Edgewood Road Culvert Project?

XIV. New Business

Other Business

XV. Nonpublic Session (if required)

XVI. Extended Councilor and Administrator Roundtable (if required)

XVII. Adjourn (NLT 10:30 PM)

() The public comment portion of the Council meeting is to allow members of the public to address matters of public concern regarding town government for up to 5 minutes. Obscene, violent, disruptive, disorderly comments, or those likely to induce violence, disruption or disorder are not permitted and will not be tolerated. Complaints regarding Town staff should be directed to the Administrator.*



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5571
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM: **# 7**

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Durham Town Council

AGENDA ITEM: APPROVE THE TOWN COUNCIL MEETING MINUTES FOR MONDAY, APRIL 4, 2022

CC PREPARED BY: Jennie Berry, Administrative Assistant

PRESENTED BY: Todd I. Selig, Administrator

AGENDA DESCRIPTION:

Attached for the Council's review and approval are the minutes for the Town Council meeting held on Monday, April 4, 2022. Please call or email Jennie Berry with any grammatical/spelling changes prior to the meeting. Discussion at Monday evening's meeting should be limited only to substantive changes.

LEGAL AUTHORITY:

RSA 91-A:2 (II) specifies what must be contained in minutes of public meetings:
"Minutes of all such meetings, including names of members, persons appearing before the bodies or agencies, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection not more than 5 business days after the public meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any body or agency, or any subordinate body thereof, without exception."

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby approve the Town Council meeting minutes for Monday, April 4, 2022 (as presented/as amended).



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5111
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM:

10A

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Public Works Department

AGENDA ITEM: SHALL THE TOWN COUNCIL SCHEDULE A PUBLIC HEARING FOR MONDAY, JUNE 20TH, 2022 ON A RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF AN AMERICAN RESCUE PLAN ACT (ARPA) GRANT IN THE AMOUNT OF UP TO \$100,000 FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE WEST END SEWER PLANNING PROJECT AND AUTHORIZING THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT DOCUMENTS ON BEHALF OF THE TOWN OF DURHAM?

CC PREPARED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works

PRESENTED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works

AGENDA DESCRIPTION:

The purpose of this Council Communication is to request that the Council schedule a public hearing for Monday June 20, 2022 on a resolution authorizing the acceptance and expenditure of an American Rescue Plan Act (ARPA) Grant in the amount of up to \$100,000 from the New Hampshire Department of Environmental Services for the West End Sewer Planning Project and authorize the Town Administrator to sign and submit grant paperwork on behalf of the Town of Durham.

Current wastewater flows from the west end of Durham come from Technology Drive including the Cottages and previous Goss facility, Mast Road including The Lodges, and Main St. including the US Forestry Building and various UNH facilities. These flows are collected at the Old Concord Road Pump Station which was rehabbed in 2013. Additional wastewater flow is collected along Main St. including the Wildcat Stadium and Field House and flows to the southern College Brook Interceptor via the small railroad underpass between Colovos Road and Library Way. This section of sewer which is located directly under the narrow railroad overpass is an undersized 8" diameter main and while it does not currently experience surcharging, it is a bottleneck and has no additional capacity for future flows.

Durham Public Works submitted a pre-application to the New Hampshire Department of Environmental Services (NHDES) as part of their project solicitation for Clean Water State Revolving Loan Funding (CWSRF) in June 2021.

In December 2021, DPW was notified that the Town was offered an American Rescue Plan Act (ARPA) grant for this planning study in the amount of \$100,000.

This study will also be used to update and expand on previous work that was completed in 2010/2011 by Wright Pierce Engineers. It is expected that future west end development would require a new “northern force main” which conceptually would be constructed from the Old Concord Road Pump Station to the Main St. roundabout and continue up along North Drive to the northern side of A Lot and be directionally drilled under the railroad to Strafford Ave and Edgewood Road where it would be connected to the gravity Pettee Brook Interceptor. Upgrades may also be required for sections of the Pettee Brook Interceptor to handle the additional flows.

Results from this planning study will be used for future wastewater capital projects and placed in the Town’s Capital Improvements Plans (CIP). They may also be used in conjunction with and to validate any required wastewater capacity studies completed by potential west end property developers.

A Request for Qualifications (RFQ) will be released in June 2022 to select a qualified consultant engineer to complete this work.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

\$100,000 in American Rescue Plan Act (ARPA) Grant monies to be received from the New Hampshire Department of Environmental Services (NHDES).

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby schedule a Public Hearing for Monday, June 20, 2022, on a resolution authorizing the acceptance and expenditure of an American Rescue Plan Act (ARPA) Grant in the amount of up to \$100,000 From the New Hampshire Department of Environmental Services for the West End Sewer Planning Project and authorizing the Administrator to sign and submit grant documents on behalf of the Town of Durham.

RESOLUTION #2022-XX OF DURHAM, NEW HAMPSHIRE

AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF AN AMERICAN RESCUE PLAN ACT OF 2021 (ARPA) GRANT IN AN AMOUNT UP TO \$100,000 FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE WEST END SEWER PLANNING PROJECT AND AUTHORIZING THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT DOCUMENTS ON BEHALF OF THE TOWN OF DURHAM

WHEREAS, the Town of Durham submitted a pre-application to the New Hampshire Department of Environmental Services (NHDES) as part of their project solicitation in June 2021; and

WHEREAS, in December 2021, the Town was notified that the Town was offered an American Rescue Plan Act (ARPA) grant for this planning study in the amount of up to \$100,000; and

WHEREAS, the Town of Durham, after thorough consideration, decided that the completion of the West End Sewer Planning Study is of critical important to the future planning of capital improvements for the wastewater collection system; and

WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b permits municipalities to authorize acceptance and expenditure of funds from the state, federal or other governmental unit, or a private source, which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific rescission of such authority; and

WHEREAS, Resolution #99-19 adopting the provisions of RSA 31:95-b authorizing the Town Council to apply for, accept, and expend unanticipated funds from a Federal, state, or other governmental unit or a private source which becomes available during the Fiscal Year; and

WHEREAS, Council approval is required for the acceptance and expenditure of these funds; and

WHEREAS, RSA 31:95-b III(a) requires that a Public Hearing be held on unanticipated funds in excess of \$10,000; and

WHEREAS, on Monday, June 20, 2022, a duly posted and published Public Hearing was held by the Durham Town Council on the \$100,000 ARPA monies in accordance with RSA 31:95-b;

NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire does hereby approve **Resolution #2022-XX** authorizing the acceptance and expenditure of Local Fiscal Recovery Funds from the State of New Hampshire under the American Rescue Plan Act of 2021 in an amount up to \$100,000 and authorizes the Administrator to sign and submit grant documents on behalf of the Town of Durham.

PASSED AND ADOPTED this ____ day of June, 2022, by a majority vote of the Durham Town Council with ____ affirmative votes, ____ negative votes , and ____ abstentions.

Katherine Marple, Chair
Durham Town Council

ATTEST:

Lorrie Pitt, Town Clerk-Tax Collector



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5000
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM:

10B

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Public Works Department

AGENDA ITEM: SHALL THE TOWN COUNCIL SCHEDULE A PUBLIC HEARING FOR MONDAY, JUNE 20TH, 2022 ON A RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF A CRITICAL RISK INFRASTRUCTURE GRANT (CFRING) FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FUNDED BY THE AMERICAN RESCUE PLAN ACT OF 2021 IN THE AMOUNT OF UP TO \$284,226 AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT DOCUMENTS ON BEHALF OF THE TOWN OF DURHAM?

CC PREPARED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works

PRESENTED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works

AGENDA DESCRIPTION:

The purpose of this Council Communication is to request that the Council schedule a public hearing for Monday June 20, 2022 on a Resolution authorizing the acceptance and expenditure of a Critical Risk Infrastructure Grant (CFRING) From the New Hampshire Department of Environmental Services funded by the American Rescue Plan Act of 2021 in the amount of up to \$284,226 and authorize the Administrator to sign and submit grant paperwork on behalf of the Town of Durham.

The Critical Flood Risk Infrastructure Grant Program, administered through the NHDES Watershed Management Bureau, intends to support flood resilience and stormwater management planning and assessment work, as well as implementation projects in New Hampshire's coastal watershed. This grant program will utilize ARPA funds to award approximately \$4.5 million in grants (no match required) in 2022.

Eligible applicants include New Hampshire municipalities, quasi-governmental organizations (e.g., regional planning commissions, county conservations districts, etc.), non-governmental organizations, and academic institutions. Projects must take place within one or more of the 42 New Hampshire communities located within New Hampshire's coastal watershed.

Durham Public Works submitted a grant application titled, "Restoration of the Oyster River through Removal of the Mill Pond Dam," to the New Hampshire Department of Environmental Services (NHDES) as part of their project solicitation for CFRING on April 15, 2022.

The Town received many letters of support that were included in the application including letters from NHDES Dam Bureau and The Nature Conservancy.

On May 19, 2022, DPW was notified that the Town was selected for partial funding in the amount of up to \$284,226 from the CFRING program towards the removal of the Mill Pond Dam project. This grant program does not require a match commitment.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

Up to \$284,226 in American Rescue Plan Act (ARPA) Grant monies to be received from the New Hampshire Department of Environmental Services (NHDES).

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby schedule a Public Hearing for Monday, June 20, 2022 on a resolution authorizing the acceptance and expenditure of a Critical Risk Infrastructure Grant (CFRING) From the New Hampshire Department of Environmental Services funded by the American Rescue Plan Act of 2021 in the amount of up to \$284,226 and authorize the Administrator to sign and submit grant documents on behalf of the Town of Durham.

RESOLUTION #2022-XX OF DURHAM, NEW HAMPSHIRE

AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF A CRITICAL RISK INFRASTRUCTURE GRANT (CFRING) FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FUNDED BY THE AMERICAN RESCUE PLAN ACT OF 2021 IN THE AMOUNT OF UP TO \$284,226 AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK ON BEHALF OF THE TOWN OF DURHAM?

WHEREAS, the Town of Durham submitted a grant application titled, "Restoration of the Oyster River through Removal of the Mill Pond Dam," to the New Hampshire Department of Environmental Services (NHDES) as part of their project solicitation for CFRING on April 15, 2022; and

WHEREAS, in May 2022, the Town was notified that it was selected for partial funding in the amount of up to \$284,226 from the CFRING program towards the removal of the Mill Pond Dam project; and

WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b permits municipalities to authorize acceptance and expenditure of funds from the state, federal or other governmental unit, or a private source, which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific rescission of such authority; and

WHEREAS, Resolution #99-19 adopting the provisions of RSA 31:95-b authorizing the Town Council to apply for, accept, and expend unanticipated funds from a Federal, state, or other governmental unit or a private source which becomes available during the Fiscal Year; and

WHEREAS, Council approval is required for the acceptance and expenditure of these funds; and

WHEREAS, RSA 31:95-b III(a) requires that a Public Hearing be held on unanticipated funds in excess of \$10,000; and

WHEREAS, on Monday, June 20, 2022, a duly posted and published Public Hearing was held by the Durham Town Council on the \$284,226 ARPA monies in accordance with RSA 31:95-b;

NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire does hereby approve **Resolution #2022-XX** authorizing the acceptance and expenditure of a Critical Risk Infrastructure Grant (CFRING) From the New Hampshire Department of Environmental Services funded by the American Rescue Plan Act of 2021 in the amount of up to \$284,226 and authorize the Administrator to sign and submit grant paperwork on behalf of the Town of Durham?

PASSED AND ADOPTED this 20th day of June, 2022, by a majority vote of the Durham Town Council with _____ affirmative votes, _____ negative votes , and _____ abstentions.

Katherine Marple, Chair
Durham Town Council

ATTEST:

Lorrie Pitt, Town Clerk-Tax Collector



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

May 19, 2022

April Talon
Town of Durham, NH
100 Stone Quarry Drive
Durham, NH 03824

Subject: Critical Flood Risk Infrastructure Grant Program, Proposal Selected for Funding

Dear Ms. Talon,

Congratulations! By submitting an application for a Critical Flood Risk Infrastructure Grant (CFRING), you have taken a step toward implementing a project that will enhance flood resilience and address stormwater management needs in New Hampshire. Thanks to funding available from the American Rescue Plan Act of 2021 (ARPA), I am pleased to inform you that your project entitled, "Restoration of the Oyster River through Removal of the Mill Pond Dam," was selected for partial funding up to \$284,226, subject to recommendation to and approval by the Governor and Executive Council.

In order to secure this funding, the following steps must be taken:

1. **Project Consultation:** Contact your Grant Manager, Ben Sweeney at Benjamin.R.Sweeney1@des.nh.gov or (603) 559-0021 to set up a time to discuss the project and relevant grant requirements.
2. **Work Scope Negotiation and Approval:** The application review team recommended funding the following project tasks: data collection, final design, environmental permitting, cultural resources, bid phase, and meetings and coordination (Tasks 1-5 and 7 identified in the application). A revised project work scope and schedule must be submitted to the NHDES Grant Manager based on the partial funding amount that has been offered to the Town to ensure compliance with the grant requirements. Work cannot begin until the work scope has been approved by the NHDES Grant Manager.
3. **Required Codes:**
 - a. **Vendor Code:** A State of New Hampshire vendor code must be obtained from the Department of Administrative Services in order to receive payments on this grant. You can use this [State of NH Vendor Resource Center](#) to apply or verify that your vendor code is still active.
 - b. **Unique Entity Identifier (UEI):** The grant recipient shall comply with the terms of the Federal Funding Accountability and Transparency Act (FFATA) by providing NHDES with their UEI and all applicable Executive Compensation Data information as required under the FFATA. A UEI may be obtained by visiting <https://www.sam.gov>.
4. **Certificate of Authority:** This Certificate provides proof that the person signing the Grant Agreement has the authority to execute and enter into contracts on behalf of the grant recipient. The Certificate must be signed on the same date as, or within 30 days of, the Grant Agreement signature. The Grant Agreement and the Certificate must NOT be signed by the same person. The Certificate cannot be signed by the person being given authority to execute contracts. A template will be provided by the NHDES Grant Manager.

5. **Certificate of Insurance:** The grant recipient will maintain statutory worker's compensation and employee's liability insurance for all employees engaged in the performance of the project, general liability insurance against all claims of bodily injuries, death or property damage, in amounts not less than \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury or death any one incident, and \$500,000 for property damage in any one incident.
6. **Procurement Process:** Procurement for services must be consistent with standards set forth in the [Uniform Guidance 2 CFR 200.317 through 2 CFR 200.327](#). If the grant recipient is already working with a consultant, the grant recipient should provide certification that the selection process was conducted in a manner providing full and open competition. Non-competitive procurement is allowed where at least one of the following conditions is true: the item is below the micro-purchase threshold (value under \$10,000), the item or service is only available from a single source, public exigency or emergency will not permit a delay from publicizing a competitive solicitation, or competition was deemed inadequate after solicitation of a number of sources. If none of these situations apply, the grant recipient must provide justification for the non-competitive selection process. Non-competitive procurement will require the approval of the NHDES Watershed Management Bureau Administrator.
7. **NHDES Coordination:** At a minimum, NHDES must attend the kick-off meeting, a mid-level progress update meeting, and the project wrap-up meeting, which should be noted in the work scope. NHDES requests to be notified in advance of other meetings relative to the project. All draft and final documents must be submitted to NHDES for review and approval.
8. **Reporting:** Quarterly project status reports will be required throughout the project and a final project report will need to be completed prior to final disbursement of the grant. Required reporting should be noted in the work scope. NHDES will provide templates for the grant recipient to fulfill the reporting requirements.

Due to the time constraints set in place for the ARPA funding by the US Department of Treasury, NHDES is requiring that all required documentation for the grant agreement be submitted by August 1, 2022. Additionally, ARPA funds must be expended by the deadline established in the grant agreement but no later than December 31, 2026. Once the required documentation has been received, NHDES will prepare the grant agreement for your review and signature. The funding agreement must be approved by the Governor and Executive Council prior to commencement of work.

Please contact Ben Sweeney at Benjamin.R.Sweeney1@des.nh.gov or (603) 559-0021 if you have any questions.

We look forward to working with you on this exciting project.

Sincerely,



Ben Sweeney, Watershed Management Specialist
NH Department of Environmental Services

cc: Kevin Lucey, Habitat Coordinator
Bill Thomas, River Restoration Coordinator



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5111
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM:

10C

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY:

Richard Reine, Public Works Director

AGENDA ITEM:

SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE DPW AND ADMINISTRATOR, AUTHORIZE THE ADMINISTRATOR TO:

- 1. SIGN A CONTRACT IN THE AMOUNT OF \$698,660.00 WITH PICHETTE BROS. CONSTRUCTION OF MANCHESTER, NH FOR EMERSON ROAD WATERMAIN AND ROADWAY CONSTRUCTION IMPROVEMENTS, SUBJECT TO AVAILABLE FUNDING? AND**
- 2. SIGN A CONTRACT IN THE AMOUNT OF \$96,300 WITH UNDERWOOD ENGINEERS OF PORTSMOUTH, NH FOR EMERSON ROAD CONSTRUCTION PHASE ENGINEERING SERVICES, SUBJECT TO AVAILABLE FUNDING?**

CC PREPARED BY:

Richard Reine, Public Works Director
April Talon, PE, Town Engineer

PRESENTED BY:

Richard Reine, Public Works Director

AGENDA DESCRIPTION:

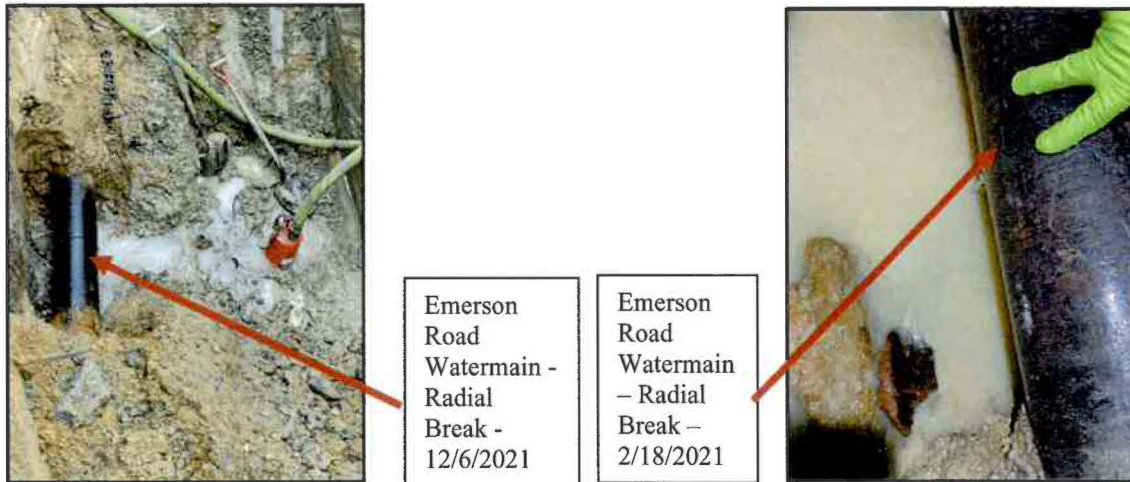
This request for approval to award a contract to Pichette Brothers Construction of Manchester, New Hampshire will allow the Town to begin construction improvements to the Emerson Road Water Main infrastructure within the limits shown in the figure below.



Emerson Road
Watermain –
Construction Limits

The Town of Durham and University of New Hampshire own and maintain approximately 29 miles of distribution water main and over 328 fire hydrants. This critical infrastructure consists of pipelines of various materials and age. With the recent staffing of the GIS Program Administrator position, Durham Public Works has begun the process of data collection and condition assessments of critical infrastructure, including its drinking water distribution network, in support of a long-term watermain replacement program. Accurately logging the break history of water main infrastructure is of particular significance as it will allow the Department to identify potential replacement priorities of infrastructure which may have reached the end of its expected life, prior to failure.

The Emerson Road Water Main Project consists of the replacement of approximately 2,500 lineal feet of 6" and 8" cast iron piping, extending between Madbury Road and the westerly entrance of Littlehale Road. The watermain has experienced significant break history recently with five water main breaks over the last five years. During each emergency response break event, customers experience unplanned and extended water service interruptions, and the roadway longevity is greatly impacted by the necessary roadway trench excavations to access the watermain and make the required repair.



On September 13, 2021, the Town Council approved Resolution 2021-11 Authorizing the Acceptance and Expenditure of Local Fiscal Recovery Funds (LFRF) from the State under the Federal American Rescue Plan Act of 2021 (ARPA) in the amount of \$1,705,709. The Town Council voted favorably on this resolution and included Water, Wastewater and Stormwater infrastructure improvements as eligible uses for this funding. A draft plan indicating potential projects was developed by Durham Public Works and provided to the Town Council. Potential improvement projects are integrated within the Fiscal Year 2021, 2022 and 2023 capital budgets. It was noted at the time that this plan was preliminary in nature and the projects identified would likely shift or be deferred as final design was completed and actual project cost estimates were generated, or actual bids were obtained.

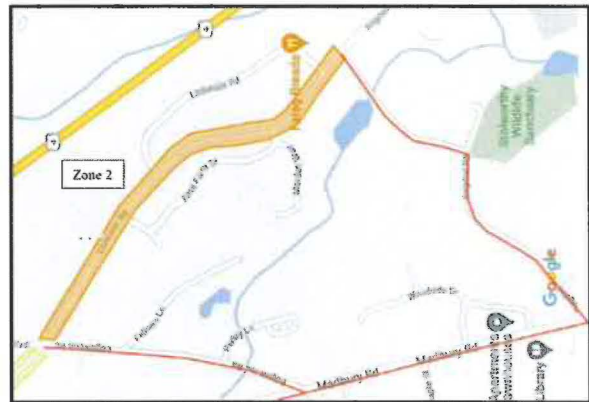
In November of 2021 Durham Public Works selected Underwood Engineers to provide Engineering Services to the Town for the design of the Emerson Road water main improvements. An instrument survey was performed by Doucet Survey, which included the development of a base map, and a geotechnical exploration program was completed by R.W. Gillespie of Biddeford, Maine. Following the completion of design, Durham Public Works hosted an on-site neighborhood meeting to review the project, communicate impacts, and answer questions.

The meeting was very well attended by residents within the project area. During the meeting, the Durham team explained that the project would be constructed in two phases over the 120-day project timeline. Phase 1 will consist of watermain replacement in Zone 1 between Madbury Road and Edgewood Road. Phase 2 will consist of watermain replacement in Zone 2 between Edgewood Road and the westerly entrance of Littlehale Road. During active construction within each phase, that section of road will be closed to through traffic during working hours. Local traffic, deliveries, emergency response, and residents living within each zone will

continue to have access at all times. Detour maps for each construction phase or zone are shown below.



Zone 1 Detour using Madbury and Edgewood Road



Zone 2 Detour using Madbury to Edgewood Road to Bagdad Road

On April 14, 2022, bids were received from six contractors (bid tabulation attached) ranging from a low of \$698,660 (*Pichette Bros. Construction*) to a high of \$1,091,650 (*Dawson's Excavation and Utility Services*). Qualifications and references were checked, which indicated that Pichette Bros. has satisfactorily completed recent projects of similar scope and size to the Emerson Road Watermain Project.

In addition, Durham Public Works coordinated with Underwood Engineers to develop a scope of services for on-site resident inspection and contract administration. This scope includes, construction administration, resident project inspection, development of record drawings, and a geotechnical allowance with a proposed fee of \$96,300. Due to project and industry uncertainties, a 15% construction and engineering contingency has also been established for this project totaling \$119,245, however this reserve is not included within the above requested contract award.

The project schedule includes a notice of award (NOA) to the low bidder (*Pichette Bros. Construction*) provided in June 2022 with construction commencing in July 2022. A 90-day duration is allowed for substantial completion and an additional 30 days for final completion. This would allow for scheduled completion of all watermain and pavement restoration work within the 2022 construction season.

The pavement restoration scope includes the installation of a durable pavement patch. Emerson Road would then receive a full width pavement restoration within the project limits, along with sidewalk paving, as part of the proposed 2023 Road Program. However, given supply chain constraints recently encountered, in particular around cement lined ductile iron (CLDI) watermain pipe, which currently

has a 30-week order lead time, the project schedule will likely require adjustment and potentially extend into the 2023 construction season. Upon issuance of the Notice of Award (NOA) to Pichette Bros. Construction, the contractor will begin to aggressively procure the necessary materials and provide an updated schedule.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

Funding for both motions to come from ARPA funds accepted under Resolution 2021-11.

| PROJECT | ACCOUNT | BUDGETED | EXPENDED/ ENCUMBERED TO DATE | REQUESTED | BALANCE |
|--|----------------------------|---------------------------|------------------------------------|-----------|-----------|
| Town Water System Improvements | 07-2229- 221-36- 000 | \$500,000 (ARPA Funds) | \$0 | \$500,000 | \$0 |
| Town Water System Improvements – Fiscal Year 2023 Commitment | TBD | \$428,660 (ARPA Funds) | \$0 | \$294,660 | \$134,000 |
| | | | | | |
| TOTAL REQUESTED | | | | \$794,660 | \$134,000 |

SUGGESTED ACTION OR RECOMMENDATIONS:**MOTION #1 - Construction Contract Award**

The Town Council, upon recommendation of the Department of Public Works and Administrator, does hereby authorize the Administrator to sign a contract in the amount of \$698,660.00 with Pichette Bros. Construction of Manchester, NH for Emerson Road Watermain and Roadway Construction Improvements, subject to available funding.

MOTION #2 - Engineering Services Award

The Town Council, upon recommendation of the Department of Public Works and Administrator, does hereby authorize the Administrator to sign a contract in the amount of \$96,300 with Underwood Engineers of Portsmouth, NH for Emerson Road Construction Phase Engineering Services, subject to available funding.

BID TABULATION
Emerson Road Water Main Improvements
Durham, New Hampshire

Prepared: 4/14/2022
Revised: 4/15/2022

Prepared By: MJH
Checked By: ASB

| | | | | Pichette Bros Construction 91 Bay Street Manchester, NH 03104 | | John H. Lyman & Sons 310 Hoyt Road Gilford, NH 03249 | | Wickson Construction 261 Central Road Rye, NH 03870 | | N. Granese and Sons, Inc. 59 Jefferson Ave. Salem, MA 01970 | | American Excavating Corp. PO Box 1220 Derry, NH 03038 | | Dawson's Excavation & Utility Services PO Box 36 Moultonborough, NH 03254 | |
|---|---|------------|-------|---|-----------------|--|-----------------|---|-----------------|---|-----------------|---|-----------------|---|-----------------|
| ITEM NO. | DESCRIPTION | BID QUANT. | UNITS | UNIT PRICE | EXTENDED COST | UNIT PRICE | EXTENDED COST | UNIT PRICE | EXTENDED COST | UNIT PRICE | EXTENDED COST | UNIT PRICE | EXTENDED COST | UNIT PRICE | EXTENDED COST |
| Schedule 1 - Emerson Road Water Main | | | | | | | | | | | | | | | |
| 1.1.6 | 6" Dia. D.I. CL 52 Water Main | 40 | LF | \$ 89.00 | \$ 3,560.00 | \$ 90.00 | \$ 3,600.00 | \$ 134.00 | \$ 5,360.00 | \$ 40.00 | \$ 1,600.00 | \$ 434.00 | \$ 17,360.00 | \$ 200.00 | \$ 8,000.00 |
| 1.1.8 | 8" Dia. D.I. CL 52 Water Main | 2600 | LF | \$ 99.00 | \$ 257,400.00 | \$ 131.00 | \$ 340,600.00 | \$ 138.00 | \$ 358,800.00 | \$ 190.00 | \$ 494,000.00 | \$ 183.00 | \$ 475,800.00 | \$ 256.00 | \$ 665,600.00 |
| 2.1 | 1" Copper Water Service Pipe | 700 | LF | \$ 67.00 | \$ 46,900.00 | \$ 80.00 | \$ 56,000.00 | \$ 118.00 | \$ 82,600.00 | \$ 25.00 | \$ 17,500.00 | \$ 135.00 | \$ 94,500.00 | \$ 40.00 | \$ 28,000.00 |
| 3.1 | 1" Service Corporation | 26 | EA | \$ 1,100.00 | \$ 28,600.00 | \$ 300.00 | \$ 7,800.00 | \$ 1,740.00 | \$ 45,240.00 | \$ 2,000.00 | \$ 52,000.00 | \$ 716.00 | \$ 18,616.00 | \$ 1,000.00 | \$ 26,000.00 |
| 4 | Curb Stop Assembly | 26 | EA | \$ 725.00 | \$ 18,850.00 | \$ 350.00 | \$ 9,100.00 | \$ 1,508.00 | \$ 39,208.00 | \$ 300.00 | \$ 7,800.00 | \$ 650.00 | \$ 16,900.00 | \$ 1,000.00 | \$ 26,000.00 |
| 5.1.8 | 8" Gate Valve Assembly | 11 | EA | \$ 2,100.00 | \$ 23,100.00 | \$ 1,500.00 | \$ 16,500.00 | \$ 4,640.00 | \$ 51,040.00 | \$ 7,000.00 | \$ 77,000.00 | \$ 2,800.00 | \$ 30,800.00 | \$ 4,000.00 | \$ 44,000.00 |
| 5.2.8 | 8" Check Valve Assembly | 1 | EA | \$ 7,200.00 | \$ 7,200.00 | \$ 7,500.00 | \$ 7,500.00 | \$ 4,640.00 | \$ 4,640.00 | \$ 16,000.00 | \$ 16,000.00 | \$ 6,600.00 | \$ 6,600.00 | \$ 7,500.00 | \$ 7,500.00 |
| 6 | Valve Pit for Check Valve Assembly | 1 | EA | \$ 4,800.00 | \$ 4,800.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 4,640.00 | \$ 4,640.00 | \$ 7,500.00 | \$ 7,500.00 | \$ 5,050.00 | \$ 5,050.00 | \$ 6,500.00 | \$ 6,500.00 |
| 7.1 | Hydrant Assembly | 4 | EA | \$ 5,300.00 | \$ 21,200.00 | \$ 7,500.00 | \$ 30,000.00 | \$ 6,960.00 | \$ 27,840.00 | \$ 9,000.00 | \$ 36,000.00 | \$ 8,000.00 | \$ 32,000.00 | \$ 5,000.00 | \$ 20,000.00 |
| 7.2 | Remove Existing Hydrant Assembly | 2 | EA | \$ 1,050.00 | \$ 2,100.00 | \$ 1,000.00 | \$ 2,000.00 | \$ 1,740.00 | \$ 3,480.00 | \$ 250.00 | \$ 500.00 | \$ 1,025.00 | \$ 2,050.00 | \$ 1,500.00 | \$ 3,000.00 |
| Sub-Total - Schedule 1 | | | | | \$ 413,710.00 | | \$ 478,100.00 | | \$ 622,848.00 | | \$ 709,900.00 | | \$ 699,676.00 | | \$ 834,600.00 |
| Schedule 2 - Common Items | | | | | | | | | | | | | | | |
| 8 | Mobilization | 1 | LS | \$ 59,000.00 | \$ 59,000.00 | \$ 60,000.00 | \$ 60,000.00 | \$ 15,000.00 | \$ 15,000.00 | \$ 40,000.00 | \$ 40,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 45,000.00 | \$ 45,000.00 |
| 9 | Hot Bituminous Pavement for Trench Repairs, 3" Depth | 350 | Ton | \$ 165.00 | \$ 57,750.00 | \$ 153.00 | \$ 53,550.00 | \$ 147.50 | \$ 51,625.00 | \$ 220.00 | \$ 77,000.00 | \$ 264.00 | \$ 92,400.00 | \$ 180.00 | \$ 63,000.00 |
| 10 | Hot Bituminous Pavement, Hand Method | 20 | Ton* | \$ 200.00 | \$ 4,000.00 | \$ 175.00 | \$ 3,500.00 | \$ 236.00 | \$ 4,720.00 | \$ 220.00 | \$ 4,400.00 | \$ 350.00 | \$ 7,000.00 | \$ 200.00 | \$ 4,000.00 |
| 11 | Crushed Gravel (Where Directed) | 25 | CY* | \$ 50.00 | \$ 1,250.00 | \$ 30.00 | \$ 750.00 | \$ 47.20 | \$ 1,180.00 | \$ 20.00 | \$ 500.00 | \$ 54.00 | \$ 1,350.00 | \$ 50.00 | \$ 1,250.00 |
| 12 | Gravel (Where Directed) | 25 | CY* | \$ 50.00 | \$ 1,250.00 | \$ 30.00 | \$ 750.00 | \$ 47.20 | \$ 1,180.00 | \$ 20.00 | \$ 500.00 | \$ 54.00 | \$ 1,350.00 | \$ 40.00 | \$ 1,000.00 |
| 13 | Sand (Where Directed) | 25 | CY* | \$ 60.00 | \$ 1,500.00 | \$ 25.00 | \$ 625.00 | \$ 47.20 | \$ 1,180.00 | \$ 20.00 | \$ 500.00 | \$ 54.00 | \$ 1,350.00 | \$ 50.00 | \$ 1,250.00 |
| 14 | Additional Excavation (Where Directed) | 25 | CY* | \$ 100.00 | \$ 2,500.00 | \$ 20.00 | \$ 500.00 | \$ 23.60 | \$ 590.00 | \$ 20.00 | \$ 500.00 | \$ 94.00 | \$ 2,350.00 | \$ 12.00 | \$ 300.00 |
| 15 | Ledge Removal and Disposal (\$120/CY Min.) | 200 | CY | \$ 200.00 | \$ 40,000.00 | \$ 225.00 | \$ 45,000.00 | \$ 135.00 | \$ 27,000.00 | \$ 120.00 | \$ 24,000.00 | \$ 215.00 | \$ 43,000.00 | \$ 300.00 | \$ 60,000.00 |
| 16 | Exploratory Test Pit Excavation | 5 | EA | \$ 1,500.00 | \$ 7,500.00 | \$ 300.00 | \$ 1,500.00 | \$ 944.00 | \$ 4,720.00 | \$ 800.00 | \$ 4,000.00 | \$ 1,400.00 | \$ 7,000.00 | \$ 700.00 | \$ 3,500.00 |
| 17 | Saw Cutting Bituminous Pavement | 5500 | LF | \$ 4.00 | \$ 22,000.00 | \$ 3.00 | \$ 16,500.00 | \$ 2.36 | \$ 12,980.00 | \$ 1.00 | \$ 5,500.00 | \$ 3.00 | \$ 16,500.00 | \$ 2.00 | \$ 11,000.00 |
| 18 | 2" Rigid Polystyrene Insulation | 100 | SF | \$ 5.00 | \$ 500.00 | \$ 3.00 | \$ 300.00 | \$ 18.88 | \$ 1,888.00 | \$ 10.00 | \$ 1,000.00 | \$ 6.00 | \$ 600.00 | \$ 10.00 | \$ 1,000.00 |
| 19 | Turf Establishment | 350 | SY | \$ 14.00 | \$ 4,900.00 | \$ 10.00 | \$ 3,500.00 | \$ 9.44 | \$ 3,304.00 | \$ 10.00 | \$ 3,500.00 | \$ 98.00 | \$ 34,300.00 | \$ 10.00 | \$ 3,500.00 |
| 20.1 | Prepare Storm Water Pollution Prevention Plan (SWPPP) | 1 | LS | \$ 4,000.00 | \$ 4,000.00 | \$ 3,000.00 | \$ 3,000.00 | \$ 9,000.00 | \$ 9,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 3,000.00 | \$ 3,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 20.2 | Implement and Maintain SWPPP | 1 | LS | \$ 7,500.00 | \$ 7,500.00 | \$ 2,000.00 | \$ 2,000.00 | \$ 30,000.00 | \$ 30,000.00 | \$ 15,000.00 | \$ 15,000.00 | \$ 4,400.00 | \$ 4,400.00 | \$ 5,000.00 | \$ 5,000.00 |
| 20.3 | Monitor SWPPP | 30 | HR | \$ 230.00 | \$ 6,900.00 | \$ 125.00 | \$ 3,750.00 | \$ 123.90 | \$ 3,717.00 | \$ 200.00 | \$ 6,000.00 | \$ 270.00 | \$ 8,100.00 | \$ 200.00 | \$ 6,000.00 |
| 21 | Flaggers for Traffic Control | 150 | HR | \$ 46.00 | \$ 6,900.00 | \$ 50.00 | \$ 7,500.00 | \$ 135.00 | \$ 20,250.00 | \$ 50.00 | \$ 7,500.00 | \$ 51.00 | \$ 7,650.00 | \$ 75.00 | \$ 11,250.00 |
| 22 | Maintenance of Traffic | 1 | LS | \$ 32,500.00 | \$ 32,500.00 | \$ 40,000.00 | \$ 40,000.00 | \$ 19,000.00 | \$ 19,000.00 | \$ 15,000.00 | \$ 15,000.00 | \$ 21,000.00 | \$ 21,000.00 | \$ 10,000.00 | \$ 10,000.00 |
| 23 | Asphalt Cement Adjustment | 1 | Allow | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 24 | Fuel Adjustment | 1 | Allow | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 25 | Tree Trimming | 1 | Allow | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 26 | Vibration Monitoring | 1 | Allow | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 |
| Sub-Total - Schedule 2 | | | | | \$ 284,950.00 | | \$ 267,725.00 | | \$ 232,334.00 | | \$ 234,900.00 | | \$ 286,350.00 | | \$ 257,050.00 |
| Sub Total Schedules 1-2 | | | | | \$ 698,660.00 | | \$ 745,825.00 | | \$ 855,182.00 | | \$ 944,800.00 | | \$ 986,026.00 | | \$ 1,091,650.00 |
| Schedule 3 - Bid Alt 1: PVC Water Pipe | | | | | | | | | | | | | | | |
| 1.1.6 | 8" Dia. D.I. CL 52 Water Main | ~2600 | LF | \$ 39.00 | \$ (101,400.00) | \$ 131.00 | \$ (340,600.00) | \$ 138.00 | \$ (358,800.00) | \$ 190.00 | \$ (494,000.00) | \$ 183.00 | \$ (475,800.00) | \$ 256.00 | \$ (665,600.00) |
| 1.1.8 | 8" Dia. PVC C900 Water Main | 2600 | LF | \$ 33.00 | \$ 85,800.00 | \$ 110.00 | \$ 286,000.00 | \$ 135.00 | \$ 351,000.00 | \$ 170.00 | \$ 442,000.00 | \$ 176.00 | \$ 457,600.00 | \$ 242.00 | \$ 629,200.00 |
| Sub-Total - Schedule 3 | | | | | \$ (15,600.00) | | \$ (54,600.00) | | \$ (7,800.00) | | \$ (52,000.00) | | \$ (18,200.00) | | \$ (36,400.00) |
| Sub Total Schedules 1-2-3 | | | | | \$ 683,060.00 | | \$ 691,225.00 | | \$ 847,382.00 | | \$ 892,800.00 | | \$ 967,826.00 | | \$ 1,055,250.00 |

Prepared By: _____
Matthew Hall

Checked By: _____
Andrew Blair



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5177
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM:

10D

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Richard Reine, Public Works Director

AGENDA ITEM: SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR:

1. AUTHORIZE THE TOWN ADMINISTRATOR TO TRANSFER FUNDS FROM 2021 CAPITAL EQUIPMENT PURCHASE REVENUE AND EXPENDITURE ACCOUNTS LISTED UNDER FINANCIAL DETAILS TO THE 2022 DUMP TRUCK REPLACEMENT PURCHASE ACCOUNT 07-2203-800.
2. AUTHORIZE THE PURCHASE OF A NEW 2023 HV 507 SFA 6-WHEEL INTERNATIONAL DUMP TRUCK WITH CUMMINS L9 DIESEL ENGINE FROM ALLEGIANCE TRUCKS OF MANCHESTER, NH IN THE AMOUNT OF \$99,795 FROM ACCOUNT 07-2203-800? AND
3. AUTHORIZE THE PURCHASE OF A NEW 2022 MODEL SL2418 SWAP LOADER DUMP TRUCK BODY WITH STAINLESS STEEL DUMP BODY, SKIDDED SANDER, FRONT AND WING PLOWS AND CIRUS DUAL SPREAD SANDER CONTROL FROM VIKING CIVES OF LEWISTON, MAINE IN THE AMOUNT OF \$134,430 FROM ACCOUNT 07-2203-800?

CC PREPARED BY: Richard Reine, Public Works Director
Sam Hewitt, Assistant Public Works Director

PRESENTED BY: Richard Reine, Public Works Director

AGENDA DESCRIPTION:

The 2022 Fiscal Year Capital Improvements Budget includes the purchase of a new 6-Wheel Dump Truck and Swap Loader System in the amount of \$215,000 for use as a front-line piece of equipment in the Durham Public Works Highway Division. This new 2023 International Truck will replace the existing 2012 Peterbilt 6-Wheel Dump Truck, which will remain in the Durham Public Works fleet and serve as a back-up vehicle for a total cost of \$234,225.00. This vehicle is operated daily during the Spring and Fall seasons and is an integral emergency response vehicle during all winter weather events. Currently the Department has no reserve vehicles within its 6-Wheel Dump Truck fleet. When one of its front-line vehicles experiences a mechanical failure and is out of service, the Department is faced with significant

operational challenges, most notably during emergency winter storm and water main responses, substantially extending response time.



2012 Peterbilt to be Retained as
Reserve Vehicle

The specifications for this new vehicle were developed based on discussions with fleet management and operations staff, as well as visits to surrounding municipalities who have implemented a Swap Loader System within their operations to determine the machine requirements. The Swap Loader system will provide Durham Public Works with flexibility and capabilities that the Department has not had to date. This includes the ability to optimize the use of the single cab and chassis with multiple bodies, including a dump body, deicing material spreader and a potential tanker for future winter brine treatment operations. In addition, the versatility to quickly convert in minutes between a sander and dump body provides maximum flexibility of the vehicle. Equipment procurement options were also evaluated based on the dealer's repair and service availability, cost, convenience, after the sale reputation, and responsiveness.

Re: Purchase of Dump Truck Cab & Chassis and Swap Loader Body with Skidded Sander and
Cirrus Spreader Controls



Swap Loader System

As indicated previously to the Council, procurement of equipment and materials has been challenging over the last year and a half with unpredictable and unstable pricing, unavailable models, extended lead times and shipping delays. Presently dealer quotes are often valid for only 72 hours or less. This compares to the Pre-Covid 19 purchasing environment, prior to the supply chain issues, when quotes were held valid for 30 or 60 days, if needed.

This equipment was competitively procured from Allegiance Trucks and Viking Cives and will be available for shipping from the factory in November 2022. This procurement will utilize both the Sourcewell contract, formerly National Joint Powers Alliance (NJPA), and State of NH Contract 8002661 which assures the Town of the most competitive price. NJPA, is a governmental agency operating under the legislative authority of Minnesota Statute 123A.21. This statute was created in 1977 and revised in 1995 to allow participating governmental and municipal agencies to reduce the cost of purchased goods by leveraging their combined purchasing power. Sourcewell offers competitively solicited purchasing contracts for products and equipment to member organizations. The use of State/Government contracts is consistent with the requirements of the Durham Purchasing Policy as noted below.

Notwithstanding this, the competitiveness of this purchase has been confirmed with solicitation of similarly specified hook-lift body systems and plow packages quoted by Donovan Equipment Company of Londonderry, NH at \$177,325 and from HP

Re: Purchase of Dump Truck Cab & Chassis and Swap Loader Body with Skidded Sander and
Cirrus Spreader Controls

Fairfield of Hopkinton, NH quoted at \$153,950. Additionally, a second proposal was solicited for a 6-Wheel Dump Truck from McDevitt Trucks of Manchester, NH quoted at \$119,569.

As stated earlier the 2022 Capital Fund Budget appropriated \$215,000.00 for this purchase. As the bid price came in higher, an additional \$19,225.00 is needed. The Town is fortunate to have surplus balances within its existing capital plan from previously purchased equipment to respond to these extraordinary market conditions. These remaining funds are proposed to be utilized in the procurement of this equipment to address any budget gap resulting from these unprecedented industry wide price escalations. We are recommending the Town Council approve the transfer of \$19,225.00 from the revenue and expenditure lines of the 2021 capital equipment purchases listed under Financial Details to supplement the funding authorized for the Dump Truck.

Durham Public Works respectfully requests the Town Council's approval of this recommendation

LEGAL AUTHORITY:

Section 5 and 6 of the Town's Purchasing Policy states "Every Town purchase or contract of greater than twenty-five thousand (\$25,000.00) dollars in amount, with the exception of the valid exceptions noted in Section 7 of these Policies, shall be made only after the receipt of publicly invited sealed competitive bids on uniform specifications". The Policy also states "Purchases made through existing State of New Hampshire or other State/Government Contracts, Strafford County or Oyster River School District contracts shall be deemed to meet the competitive pricing requirements of the preceding purchasing procedures. Nothing herein shall be construed to prevent joint bidding and contracting by the Town and other public jurisdictions, and in fact, such joint procurement programs are encouraged".

LEGAL OPINION:

N/A

Re: Purchase of Dump Truck Cab & Chassis and Swap Loader Body with Skidded Sander and
Cirus Spreader Controls

FINANCIAL DETAILS:

First Motion Transferring Funds to bring budgeted amount to \$234,225.00

| PROJECT | ACCOUNT | BUDGETED | EXPENDED TO DATE | BALANCE REQUESTED TO BE TRANSFERRED |
|--|-------------|--------------------------------|---------------------|---|
| Backhoe Replacement | 07-2109-801 | \$58,000.00 (to be bonded) | \$56,928.34 | \$1,071.00 |
| Chipper Replacement | 07-2136-801 | \$73,000.00 (to be bonded) | \$60,595.55 | \$12,404.00 |
| Hot Box Pavement System Purchase | 07-2161-801 | \$40,000.00 (to be bonded) | \$36,490.00 | \$3,510.00 |
| Roadway Sweeper Replacement | 07-2205-801 | \$245,000.00 (to be bonded) | \$237,630.00 | \$2,240.00 |
| TOTAL TO BE TRANSFERRED TO 07-2203-801 | | | | \$19,225.00 |

Second Motion authorizing purchase of International Dump Truck:

| PROJECT | ACCOUNT | BUDGETED | EXPENDED/ ENCUMBERED TO DATE | REQUESTED | BALANCE |
|--|-------------|--------------------------------|------------------------------------|-------------|-----------|
| HV507 SFA 6-Wheel International Dump Truck | | | | | |
| Dump Truck Replacement | 07-2203-801 | \$234,225.00 (to be bonded) | \$0 | \$99,795.00 | \$115,205 |

Third Motion authorizing purchase of Swap Loader Dump Truck Body:

| PROJECT | ACCOUNT | BUDGETED | EXPENDED/ ENCUMBERED TO DATE | REQUESTED | BALANCE |
|---|-------------|--------------------------------|------------------------------------|--------------|---------|
| Swap Loader System with Front/Wing Plow | | | | | |
| Dump Truck Replacement | 07-2203-801 | \$234,225.00 (to be bonded) | \$99,795.00 | \$134,430.00 | \$0 |

Re: Purchase of Dump Truck Cab & Chassis and Swap Loader Body with Skidded Sander and
Cirus Spreader Controls

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION ONE - Transfer of Funds:

The Durham Town Council does hereby, upon recommendation of the Town Administrator, authorize the transfer of \$19,225.00 from revenues and expenditures of the above listed 2021 Capital Equipment Accounts to the 2022 Dump Truck Replacement Account 07-2203-801.

MOTION TWO - 6-Wheel Dump Truck Cab and Chassis

The Durham Town Council does hereby, upon recommendation of the Administrator, authorize the purchase of a new 2023 HV 507 SFA 6-Wheel International Dump Truck with Cummins L9 Diesel Engine from Allegiance Trucks of Manchester, NH in the amount of \$99,795 from account 07-2203-801.

MOTION THREE - Swap Loader Body with Skidded Sander and Cirrus Spreader Controls

The Durham Town Council does hereby, upon recommendation of the Administrator, authorize the purchase of a new 2023 Model SL2418 Swap Loader with Stainless Steel Dump Body, Skidded Sander, Front and Wing Plow and Cirrus Dual Spread Sander Controls from Viking Cives of Lewiston, Maine in the amount of \$134,430 from account 07-2203-801.



HV507 SFA

Sales Proposal For:
Town of Durham - DPW

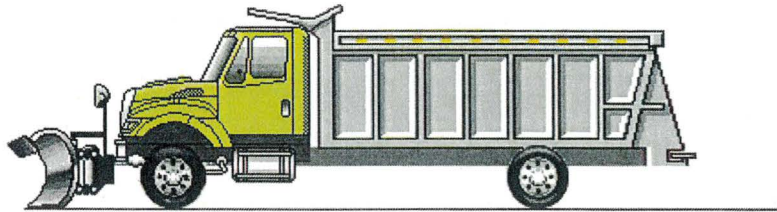
Presented By:
ALLEGIANCE TRUCKS

Prepared For:

Town of Durham - DPW
 Richard Reine
 15 Newmarket Rd.
 Durham, NH 03824-2898
 (603)868 - 5578

Presented By:

ALLEGIANCE TRUCKS
 James C Ramsay
 1400 S WILLOW ST.
 MANCHESTER NH 03103 - 4024
 (800)562-3814

**Model Profile****2023 HV507 SFA (HV507)**

| | |
|----------------------------------|--|
| AXLE CONFIG: | 4X2 |
| MISSION: | Requested GVWR: 39000. Calc. GVWR: 44000. Calc. GCWR: 80000 |
| DIMENSION: | Wheelbase: 201.00, CA: 126.00, Axle to Frame: 63.00 |
| ENGINE, DIESEL: | {Cummins L9 330} EPA 2021, 330HP @ 2200 RPM, 1000 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 330 Peak HP (Max) |
| TRANSMISSION, AUTOMATIC: | {Allison 3500 RDS} 5th Generation Controls, Wide Ratio, 5-Speed with Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway |
| CLUTCH: | Omit Item (Clutch & Control) |
| AXLE, FRONT NON-DRIVING: | {Meritor MFS-18-133A} Wide Track, I-Beam Type, 18,000-lb Capacity |
| AXLE, REAR, SINGLE: | {Dana Spicer S26-190D} Single Reduction, 26,000-lb Capacity, Driver Controlled Locking Differential, R Wheel Ends Gear Ratio: 5.38 |
| CAB: | Conventional, Day Cab |
| TIRE, FRONT: | (2) 315/80R22.5 Load Range L HSC 3 (CONTINENTAL), 481 rev/mile, 68 MPH, All-Position |
| TIRE, REAR: | (4) 12R22.5 Load Range H HDR2+ (CONTINENTAL), 479 rev/mile, 75 MPH, Drive |
| SUSPENSION, REAR, SINGLE: | 31,000-lb Capacity, Vari-Rate Springs, with 4500-lb Capacity Auxiliary Multileaf Springs |
| PAINT: | Cab schematic 100WK Location 1: 4039, Fire Yellow (Prem) Chassis schematic N/A |

| <u>Code</u> | <u>Description</u> |
|-------------|---|
| HV50700 | Base Chassis, Model HV507 SFA with 201.00 Wheelbase, 126.00 CA, and 63.00 Axle to Frame. |
| 1ANA | AXLE CONFIGURATION {Navistar} 4x2 |
| | <u>Notes</u> : Pricing may change if axle configuration is changed. |
| 1CAJ | FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.866" x 3.622" x 0.437" (276.0mm x 92.0mm x 11.1mm); 456.0" (11582mm) Maximum OAL |
| 1LLA | BUMPER, FRONT Swept Back, Steel, Heavy Duty |
| 1MEJ | FRAME, SPECIAL EFFECTS Dimple on Left and Right Top Flange of Frame Rail to Reference Rear Axle Centerline |
| 1WDS | FRAME EXTENSION, FRONT Integral; 20" In Front of Grille |
| 1WEW | WHEELBASE RANGE 197" (500cm) Through and Including 264" (670cm) |
| 2ARZ | AXLE, FRONT NON-DRIVING {Meritor MFS-18-133A} Wide Track, I-Beam Type, 18,000-lb Capacity |
| 3708 | SHOCK ABSORBERS, FRONT |
| 3ACR | SUSPENSION, FRONT, SPRING Multileaf, Shackle Type, 18,000-lb Capacity, Less Shock Absorbers |
| 3WAJ | SPRINGS, FRONT AUXILIARY Air Bag, Right Side Only, Driver Control |
| 4091 | BRAKE SYSTEM, AIR Dual System for Straight Truck Applications |
| | <u>Includes</u> : BRAKE LINES Color and Size Coded Nylon : DRAIN VALVE Twist-Type : GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster : PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel : PARKING BRAKE VALVE For Truck : QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4 : SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6 |
| 4732 | DRAIN VALVE {Berg} with Pull Chain, for Air Tank |
| 4AZJ | AIR BRAKE ABS {Bendix AntiLock Brake System} 4-Channel (4 Sensor/4 Modulator) Full Vehicle Wheel Control System, with Automatic Traction Control |
| 4EBD | AIR DRYER {Wabco System Saver 1200} with Heater |
| 4EXU | BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 SqiIn Spring Brake |
| 4EXV | BRAKE CHAMBERS, FRONT AXLE {Bendix} 24 SqiIn |
| 4LAG | SLACK ADJUSTERS, FRONT {Gunitite} Automatic |
| 4LGG | SLACK ADJUSTERS, REAR {Gunitite} Automatic |
| 4SPA | AIR COMPRESSOR {Cummins} 18.7 CFM |

| <u>Code</u> | <u>Description</u> |
|-------------|---|
| 4VGN | AIR TANK Painted Aluminum, with Straight Thread O-Ring Ports |
| 4VKC | AIR DRYER LOCATION Mounted Inside Left Rail, Back of Cab |
| 4WBX | DUST SHIELDS, FRONT BRAKE for Air Cam Brakes |
| 4WDM | DUST SHIELDS, REAR BRAKE for Air Cam Brakes |
| 4WZJ | AIR TANK LOCATION (2) : One Mounted Under Each Rail, Front of Rear Suspension, Parallel to Rail |
| 4XDB | BRAKES, REAR {Bendix Spicer ES-165-7H} Air S-Cam Type, Heavy Duty Cast Spider, Cast Shoe, Double Anchor Pin, Size 16.5" X 7", 45,000-lb Capacity per Axle |
| 4XDL | BRAKES, FRONT {Bendix Spicer ES-165-6X} Air S-Cam Type, Heavy Duty Fabricated Spider, Fabricated Shoe, Single Anchor Pin, Size 16.5" X 6", 23,000-lb Capacity |
| 5710 | STEERING COLUMN Tilting and Telescoping |
| 5CAW | STEERING WHEEL 4-Spoke; 18" Dia., Black |
| 5PTB | STEERING GEAR (2) {Sheppard M100/M80} Dual Power |
| 6DGC | DRIVELINE SYSTEM {Dana Spicer} SPL170, for 4x2/6x2 |
| 7BEU | AFTERTREATMENT COVER Aluminum |
| 7BLW | EXHAUST SYSTEM Horizontal Aftertreatment System, Frame Mounted Right Side Under Cab, for Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab |
| 7WBA | TAIL PIPE (1) Turnback Type, Bright |
| 7WBS | MUFFLER/TAIL PIPE GUARD (1) Bright Stainless Steel |
| 7WCM | EXHAUST HEIGHT 8' 10" |
| 8000 | ELECTRICAL SYSTEM 12-Volt, Standard Equipment |
| | <u>Includes</u> |
| | : DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab |
| | : HAZARD SWITCH Push On/Push Off, Located on Instrument Panel to Right of Steering Wheel |
| | : HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever |
| | : PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light |
| | : STARTER SWITCH Electric, Key Operated |
| | : STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector |
| | : TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature |
| | : WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever |
| | : WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted |
| | : WIRING, CHASSIS Color Coded and Continuously Numbered |
| 8518 | CIGAR LIGHTER Includes Ash Cup |
| 8541 | HORN, ELECTRIC (2) Disc Style |

| <u>Code</u> | <u>Description</u> |
|-------------|---|
| 8899 | JUMP START STUD (2) Remote Mounted |
| 8GXD | ALTERNATOR {Leece-Neville AVI160P2013} Brush Type, 12 Volt, 160 Amp Capacity, Pad Mount, with Remote Sense |
| 8MMZ | BATTERY SYSTEM {Fleetrite AGM-GP31} Maintenance-Free, (3) AGM 12-Volt 2475CCA Total, Top Threaded Stud |
| 8REA | 2-WAY RADIO Wiring Effects; Wiring with 20 Amp Fuse Protection, Includes Ignition Wire with 5 Amp Fuse, Wire Ends Heat Shrink and 10' Coil Taped to Base Harness |
| 8RMV | SPEAKERS (2) 6.5" Dual Cone Mounted in Doors |
| 8RPR | ANTENNA for Increased Roof Clearance Applications |
| 8RPS | RADIO AM/FM/WB/Clock/Bluetooth/USB Input/Auxiliary Input |
| 8THB | BACK-UP ALARM Electric, 102 dBA |
| 8THJ | AUXILIARY HARNESS 3.0' for Auxiliary Front Head Lights and Turn Signals for Front Plow Applications |
| 8VZK | TURN SIGNALS, FRONT Dual Face, LED, Amber/Red, Mounted on Top of Fender, Used with Standard Flush Mounted Front Turn Signal, Side Marker Lamps, Parking Lights and Reflectors |
| 8WGL | WINDSHIELD WIPER SPD CONTROL Force Wipers to Slowest Intermittent Speed When Park Brake Set and Wipers Left on for a Predetermined Time |
| 8WJZ | WORKLIGHT ON W/BACKUP Work Lights will Activate when Vehicle is in Reverse |
| 8WMA | SWITCH, TOGGLE, FOR WORK LIGHT Lighted; on Instrument Panel and Wiring Effects for Customer Furnished Back of Cab Light |
| 8WPH | CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade |
| 8WPZ | TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights |
| 8WRB | HEADLIGHTS ON W/WIPERS Headlights Will Automatically Turn on if Windshield Wipers are turned on |
| 8WTK | STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt, Less Thermal Over-Crank Protection |
| 8WWJ | INDICATOR, LOW COOLANT LEVEL with Audible Alarm |
| 8WXB | HEADLIGHT WARNING BUZZER Sounds When Head Light Switch is on and Ignition Switch is in "Off" Position |
| 8WXD | ALARM, PARKING BRAKE Electric Horn Sounds in Repetitive Manner When Vehicle Park Brake is "NOT" Set, with Ignition "OFF" and any Door Opened |
| 8XAH | CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses |

| <u>Code</u> | <u>Description</u> |
|-------------|--|
| 8XDZ | BATTERY BOX Steel, 2-3 Battery Capacity, Mounted Inside the Cab, Under Passenger Seat |
| 8XHD | BATTERY DISCONNECT SWITCH 300 Amp, Disconnects Charging Circuits, Locks with Padlock, Cab Mounted |
| 8XHN | HORN, AIR Single Trumpet, Black, with Lanyard Pull Cord |
| 8XHR | POWER SOURCE, ADDITIONAL Auxiliary Power Outlet (APO) with USB Port, Located in the Instrument Panel |
| 8XLT | ALARM, PARK BRAKE, TIMER Programmable Parameter to Change Alarm Trigger Time |
| 8XNY | HEADLIGHTS Halogen |
| 9AAB | LOGOS EXTERIOR Model Badges |
| 9AAE | LOGOS EXTERIOR, ENGINE Badges |
| 9ANG | HOOD, HATCH (01) for Servicing |
| 9HBM | GRILLE Stationary, Chrome |
| 9WBC | FRONT END Tilting, Fiberglass, with Three Piece Construction, for WorkStar/HV |
| 10028 | CHASSIS COATING Extreme Corrosion Resistant Galvanized and Painted Finish, for Single Frame Rails |
| 10060 | PAINT SCHEMATIC, PT-1 Single Color, Design 100 |
| | <u>Includes</u> : PAINT SCHEMATIC ID LETTERS "WK" |
| 10761 | PAINT TYPE Base Coat/Clear Coat, 1-2 Tone |
| 10769 | PAINT CLASS Premium Color |
| 10SLV | PROMOTIONAL PACKAGE Government Silver Package |
| 11001 | CLUTCH Omit Item (Clutch & Control) |
| 12703 | ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection |
| 12851 | PTO EFFECTS, ENGINE FRONT Less PTO Unit, Includes Adapter Plate on Engine Front Mounted |
| 12ESM | ENGINE, DIESEL {Cummins L9 330} EPA 2021, 330HP @ 2200 RPM, 1000 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 330 Peak HP (Max) |
| 12THT | FAN DRIVE {Horton Drivemaster} Two-Speed Type, Direct Drive, with Residual Torque Device for Disengaged Fan Speed |
| | <u>Includes</u> : FAN Nylon |
| 12UWY | RADIATOR Aluminum, Cross Flow, Front to Back System, 1228 SqIn, with 1167 SqIn Charge Air Cooler |

| <u>Code</u> | <u>Description</u> |
|-------------|--|
| | <u>Includes</u> |
| | : DEAERATION SYSTEM with Surge Tank |
| | : HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps |
| | : RADIATOR HOSES Premium, Rubber |
| 12VBC | AIR CLEANER Single Element |
| 12VJC | EMISSION, CALENDAR YEAR {Cummins L9} EPA, OBD and GHG Certified for Calendar Year 2022 |
| 12VXT | THROTTLE, HAND CONTROL Engine Speed Control; Electronic, Stationary, Variable Speed; Mounted on Steering Wheel |
| 12VYL | ACCESSORY WIRING, SPECIAL for Road Speed Wire Coiled Under Instrument Panel for Customer Use |
| 12VYP | ENGINE CONTROL, REMOTE MOUNTED No Provision for Remote Mounted Engine Control |
| 12WBR | FAN OVERRIDE Manual; with Electric Switch on Instrument Panel, (Fan On with Switch On) |
| 12WUL | BLOCK HEATER, ENGINE {Phillips} 120V/1000W, with "Y" Cord for Dealer Installed 120V/300W Oil Pan Heater |
| | <u>Includes</u> |
| | : BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door |
| 12WZE | CARB IDLE COMPLIANCE Federal, Does Not Comply with California Clean Air Idle Regulations |
| 12XCS | CARB EMISSION WARR COMPLIANCE Federal, Does Not Comply with CARB Emission Warranty |
| 13AVG | TRANSMISSION, AUTOMATIC {Allison 3500 RDS} 5th Generation Controls, Wide Ratio, 5-Speed with Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway |
| 13WAW | OIL COOLER, AUTO TRANSMISSION {Modine} Water to Oil Type |
| 13WDT | SHIFT CONTROL PARAMETERS {Allison} 3000 or 4000 Series Transmissions, 3 Speed S1 Secondary Shift Schedule for 5 or 6 Speed |
| 13WET | TRANSMISSION SHIFT CONTROL Column Mounted Stalk Shifter, Not for Use with Allison 1000 & 2000 Series Transmission |
| 13WGK | TRANSMISSION COOLER HOSES Stainless Steel |
| 13WLP | TRANSMISSION OIL Synthetic; 29 thru 42 Pints |
| 13WUC | ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS) and Regional Haul Series (RHS), General Purpose Trucks, Construction, Package Number 223 |
| 13WVV | NEUTRAL AT STOP Allison Transmission Shifts to Neutral When Service Brake is Depressed and Vehicle is at Stop; Remains in Neutral Until Service Brake is Released |

| <u>Code</u> | <u>Description</u> |
|-------------|--|
| 13WYH | TRANSMISSION TCM LOCATION Located Inside Cab |
| 13XAM | PTO LOCATION Dual, Customer Intends to Install PTO at Left and/or Right Side of Transmission |
| 14AHL | AXLE, REAR, SINGLE {Dana Spicer S26-190D} Single Reduction, 26,000-lb Capacity, Driver Controlled Locking Differential, R Wheel Ends . Gear Ratio: 5.38 |
| 14SAL | SUSPENSION, REAR, SINGLE 31,000-lb Capacity, Vari-Rate Springs, with 4500-lb Capacity Auxiliary Multileaf Springs |
| 15924 | FUEL TANK STRAPS Bright Finish Stainless Steel |
| 15DYP | DEF TANK 9.5 US Gal (36L) Capacity, Frame Mounted Outside Left Rail, Under Cab |
| 15LLZ | LOCATION FUEL/WATER SEPARATOR Mounted Outside Left Rail, 41" Back of Cab |
| 15LNG | FUEL/WATER SEPARATOR {Davco 245} 12 VDC Electric Heater, Includes Pre-Heater, Includes Water-in-Fuel Sensor |
| 15SWE | FUEL TANK Top Draw, Non-Polished Aluminum, 26" Dia, 70 US Gal (265L), Mounted Left Side, Under Cab |
| 16030 | CAB Conventional, Day Cab |
| 16975 | HEATER HOSES Silicone |
| 16BAM | AIR CONDITIONER with Integral Heater and Defroster |
| 16GED | GAUGE CLUSTER Base Level; English with English Electronic Speedometer |
| | <u>Includes</u> |
| | : GAUGE CLUSTER DISPLAY: Base Level (3" Monochromatic Display), Premium Level (5" LCD Color Display); Odometer, Voltmeter, Diagnostic Messages, Gear Indicator, Trip Odometer, Total Engine Hours, Trip Hours, MPG, Distance to Empty/Refill for |
| | : GAUGE CLUSTER Speedometer, Tachometer, Engine Coolant Temp, Fuel Gauge, DEF Gauge, Oil Pressure Gauge, Primary and Secondary Air Pressure |
| | : WARNING SYSTEM Low Fuel, Low DEF, Low Oil Pressure, High Engine Coolant Temp, Low Battery Voltage (Visual and Audible), Low Air Pressure (Primary and Secondary) |
| 16HCS | GAUGE, TEMPERATURE, AMBIENT Sensor Wiring with Display Unit Mounted in Cluster |
| 16HGH | GAUGE, OIL TEMP, AUTO TRANS for Allison Transmission |
| 16HHE | GAUGE, AIR CLEANER RESTRICTION {Filter-Minder} with Black Bezel, Mounted in Instrument Panel |
| 16HKT | IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster |
| 16JNT | SEAT, DRIVER {National 2000} Air Suspension, High Back with Integral Headrest, Vinyl, Isolator, 1 Chamber Lumbar, with 2 Position Front Cushion Adjust, -3 to +14 Degree Angle Back Adjust |
| 16SMY | SEAT, PASSENGER {Seats, Inc.} Non Suspension, High Back, Fixed Back, Integral Headrest, Vinyl, for use with Batteries in Cab |

| <u>Code</u> | <u>Description</u> |
|--------------------|--|
| 16SNM | MIRRORS (2) C-Loop, Heated, Black Heads and Arms, 7.5" x 14" Flat Glass, Includes 7.5" x 7" Convex Mirrors, for 102" Load Width <u>Notes</u> : Mirror Dimensions are Rounded to the Nearest 0.5" |
| 16SNW | MIRROR, CONVEX, LOOK DOWN Right Side, Black, 6" x 10.5" |
| 16VKB | CAB INTERIOR TRIM Classic, for Day Cab <u>Includes</u> : CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger : DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Overhead Console, Center Mounted : SUN VISOR (2) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Toll Ticket Strap |
| 16VSL | WINDSHIELD Heated, Single Piece |
| 16VZB | SEAT BELT COMFORT CLIP |
| 16WBY | ARM REST, RIGHT, DRIVER SEAT |
| 16WHJ | HOSE CLAMPS, HEATER HOSE {Breeze} Belleville Washer Type |
| 16WSK | CAB REAR SUSPENSION Air Bag Type |
| 16XCK | WINDOW, MANUAL (2) and Manual Door Locks, Left and Right Doors |
| 16XCW | CAB, INTERIOR TRIM, CLOSEOUT Under IP, Driver Side |
| 16XJN | INSTRUMENT PANEL Flat Panel |
| 16ZBT | ACCESS, CAB Steel, Driver & Passenger Sides, Two Steps per Door, for use with Day Cab and Extended Cab |
| 27DPN | WHEELS, FRONT {Accuride 29039} DISC; 22.5x9.00 Rims, Powder Coat Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs, Non-Standard Offset, with .5" Thick Disc |
| 28DTT | WHEELS, REAR {Accuride 28828} DUAL DISC; 22.5x8.25 Rims, Powder Coat Steel, 2-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with .472" Thick Increased Capacity Disc and with Steel Hubs |
| 29WAP | WHEEL GUARDS, FRONT {Accuride} for Metric Hub Piloted Wheels with Flanged Mounting Nuts Mounted Between Hub and Wheel |
| 29WAR | WHEEL GUARDS, REAR {Accuride} for Metric Hub Piloted Wheels with Flanged Mounting Nuts, Mounted Between Hub & Wheel and Between Dual Wheels |
| 60AAG | BDY INTG, REMOTE POWER MODULE Mounted Inside Cab Behind Driver Seat, Up to 6 Outputs & 6 Inputs, Max 20 amp per Channel, Max 80 amp Total; Includes 1 Switch Pack with Latched Switches |

| <u>Code</u> | <u>Description</u> |
|-------------|--|
| 7382155444 | (4) TIRE, REAR 12R22.5 Load Range H HDR2+ (CONTINENTAL), 479 rev/mile, 75 MPH, Drive |
| 7792545438 | (2) TIRE, FRONT 315/80R22.5 Load Range L HSC 3 (CONTINENTAL), 481 rev/mile, 68 MPH, All-Position |

Services Section:

| | |
|-------|--|
| 40128 | WARRANTY Standard for HV507, HV50B, HV607 Models, Effective with Vehicles Built July 1, 2017 or Later, CTS-2025A |
|-------|--|

Body/Allied Equipment

| <u>Code</u> | <u>Description</u> |
|-----------------|--------------------|
| Goods Purchased | |
| <u>Code</u> | <u>Description</u> |

MY23

* * * Current State of NH Contract 8002661 has been applied to this proposal * * *

S/S Oil Pan

INTERNATIONAL®

Financial Summary
2023 HV507 SFA (HV507)

March 30, 2022

| <u>Description</u> | (US DOLLAR) | <u>Price</u> |
|--------------------|-------------|--------------|
| Net Sales Price: | | \$99,795.00 |

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.



Cives Corporation, dba
Viking Cives (USA)
 14331 Mill Street
 Harrisville, NY 13648
 Phone: (315) 543-2321
 Fax: (315) 543-2366
 www.vikingcives.com

QUOTATION

Quote ID: 773

Page 1 of 2

2012 Factory/Shipper
 Catalog

Customer: Town of Durham, NH
Contact: Sam Hewitt
Address:

Phone: 603-969-8305

Fax:

Attn: Sourcewell Number: 080818-VCM

Quote Number: 773

Quote Date: 3/12/2022

Quote valid until: 4/26/2022

For:

Terms: Net 30 days

Salesperson: Tim Ireland

FOB: Lewiston

| QUANTITY | DESCRIPTION | UNIT PRICE | AMOUNT |
|----------|---|------------|--------|
| 1 | S10500F - Custom Hitch Plow & Wing Mount-Power Tilt (incl. yoke) | | |
| 1 | S10996 - Access Step | | |
| 1 | S11010 - 4" x 10" DA Cylinder | | |
| 1 | S12700- Constant Running Pump | | |
| 1 | S13010 - Push Center, 30-1/2" | | |
| 1 | S14000 - Lift group | | |
| 1 | S15000F - Hoses w/restrictor, fittings and disconnects | | |
| 1 | S15100F - Quick Disconnects for Lift Cylinder | | |
| 1 | S30600F - FH20 Hydraulic Assembly w/mtg. brk't (3 x 20 cyl.) | | |
| 1 | S33300F - Full Trip Hinge (not to be used with trip edge wing) | | |
| 1 | S34000F - Quick Disconnects for Front Wing Cylinder (1 per front mast) | | |
| 1 | S40547 Rear Mast H1059IP High Lift Patrol Wing with Enclosure | | |
| 1 | S54030 - R1142TE Moldboard Reversible, HD Trip Edge 10 degree | | |
| 1 | S54110 - Steel Blade, 12" punching -for 11' Moldboard & OW3153TE9 | | |
| 1 | S54230 - Twin Cylinder (cushion valve) Power Reverse Push frame (PRR) | | |
| 1 | S54260 - Brace Arm | | |
| 1 | S54310 - 30-1/2" push lug swivel | | |
| 1 | S54410 - Dead Sheave Leveling Device (stainless steel cable) | | |
| 1 | S54620 - Rubber Deflector -12" wide - for 11' Moldboard | | |
| 1 | S60010 - 132WHD RH WING WELDMENT - Standard RH Wing | | |
| 1 | S60410 - Steel Blade 12" punching -for 132 Wing | | |
| 1 | S61041F - Full Trip Hydraulic Arms (cushion spring lower) | | |
| 1 | Beau Roc 12' Stainless Steel Dump Body with 24" Sides, 36" Tailgate, Air Tailgate, 1/4' Hardox Floor, Ladder, With Hook Lift Blank with Rear Rollers, Cut Outs Front and Side of 36" Headboard, Cut Outs in Rear Corner Posts, ABL LED Heated Plow Lights, Led Strokes Front and Sides of Headboard, LED Strokes, Stop/Tail/Turn/Backup Lights In Rear Corner Posts, LED Sander and Wing Lights, Pintle Plate with Hook and D-Rings, Poly Fenders, Model SL2418 Swap Loader, US Tarp Assembly Mounted on Headboard that is Mounted on Platform Behind Cab, Install Customers Sander with Hook Lift Blank. | | |
| 1 | Hydraulics to Include: A10 Rexroth Pump with Shut Off, Drive Shaft, Hydraulic Tank Behind Cab, Wavoil Valves, Quadco Cables, Cirrus EZ Spread 3 Knob Sander Control, Hose Kit, Stainless Steel Hydraulic Lines Where Feasible. | | |
| 1 | Labor to Install | | |

Quote Total: **\$109,400.00**

Total Due: \$109,400.00



Cives Corporation, dba
Viking Cives (USA)
14331 Mill Street
Harrisville, NY 13648
Phone: (315) 543-2321
Fax: (315) 543-2366
www.vikingcives.com

QUOTATION

Quote ID: 773

Page 2 of 2

2012 Factory/Shipper
Catalog

| QUANTITY | DESCRIPTION | UNIT PRICE | AMOUNT |
|----------|-------------|------------|--------|
|----------|-------------|------------|--------|

| |
|--|
| |
| |
| |

The following options may be added:

| QUANTITY | DESCRIPTION | PRICE EACH | AMOUNT |
|----------|--|------------|-------------|
| 1 | Swenson 10' Stainless Steel Sander with rubber side shields, Front and Rear Spill shields, Light Boxes, Blank for Hook Lift Add: | | \$22,960.00 |
| 1 | Cirus Dual Spread Sander Control in Lieu of Above: Add: | | \$2,070.00 |

Customer must fill out the information below before the order can be processed...

| | |
|--------------|--|
| Accepted by: | |
| Date: | |
| P.O. number: | |

The price and terms on this quotation are not subject to verbal changes or other agreements unless approved in writing by the Home Office of the Seller. All quotations and agreements are contingent upon strikes, accidents, fires, availability of material and all other causes beyond our control. Prices are based on costs and conditions existing on date of quotation and are subject to change by the Seller before final acceptance.

♦ Typographical and stenographic errors subject to corrections. Purchaser agrees to accept either overage or shortage not in excess of ten percent to be charged pro-rata. Purchaser assumes liability for patent and copyright infringement when goods are made to Purchaser's specifications. When quotation specifies material to be furnished by the purchaser, ample allowance must be made for reasonable spoilage and material must be of suitable quality to facilitate efficient production.

♦ Conditions not specifically stated herein shall be governed by the established trade customs. Terms inconsistent with those stated herein which may appear on Purchaser's formal order will not be binding on the Seller.

♦ Unless otherwise stated, Installation charges do not include modifications to exhaust systems, cab protectors or bumpers.



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5544
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM: # 12A

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Todd I. Selig, Administrator

AGENDA ITEM: RECEIVE REPORT FROM THE CONSERVATION COMMISSION –
JACOB KRITZER, CHAIR

CC PREPARED BY: Jennie Berry, Administrative Assistant

PRESENTED BY: Jacob Kritzer, Conservation Commission Chair

AGENDA DESCRIPTION:

Section 11.1 (I) of the Durham Town Charter used to require that the Town Council meet annually with all Chairpersons of standing Town committees to review significant actions taken by the committees, projects currently under discussion, and anticipated activities for the coming year. At the March 10, 2020 Town Election, Charter amendment (Article 16 on the ballot) was adopted which amended the language within this section to now read:

- I. *On an annual basis, Chairs of the Town of Durham committees will be provided the opportunity to present to the Town Council any significant actions or projects taken by their respective committee. This report can be in the form of a written summary or a formal presentation. No action is required if there is nothing of significance to report, although the Town Council can ask for a presentation if there is interest.*

Since no regular annual updates from various town boards, commissions, and committees have occurred since the adoption of the Charter amendment in 2020, Administrator Selig felt it would be appropriate and beneficial for the Council to receive reports from the various boards and committees periodically to keep Councilors informed and up-to-date.

Conservation Commission Chair Jacob Kritzer has been invited to attend Monday night's Town Council meeting to provide a brief update to Council members regarding the commission's current activities.

LEGAL AUTHORITY:

Section 11.1 (I) of the Durham Town Charter.

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

No formal action required. Receive presentation from Conservation Commission Chair Jacob Kritzer and hold question and answer session if desired.



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5544
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM:

12B

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Todd I. Selig, Administrator

AGENDA ITEM: RECEIVE ANNUAL REPORT FROM THE HISTORIC DISTRICT
COMMISSION/HERITAGE COMMISSION – THE REVEREND
LARRY BRICKNER-WOOD, CHAIR

CC PREPARED BY: Jennie Berry, Administrative Assistant

PRESENTED BY: Larry Brickner-Wood, Chair, HDC / HC

AGENDA DESCRIPTION:

Section 11.1 (I) of the Durham Town Charter used to require that the Town Council meet annually with all Chairpersons of standing Town committees to review significant actions taken by the committees, projects currently under discussion, and anticipated activities for the coming year. At the March 10, 2020 Town Election, Charter amendment (Article 16 on the ballot) was adopted which amended the language within this section to now read:

- I. *On an annual basis, Chairs of the Town of Durham committees will be provided the opportunity to present to the Town Council any significant actions or projects taken by their respective committee. This report can be in the form of a written summary or a formal presentation. No action is required if there is nothing of significance to report, although the Town Council can ask for a presentation if there is interest.*

Since no regular annual updates from various town boards, commissions, and committees have occurred since the adoption of the Charter amendment in 2020, Administrator Selig felt it would be appropriate and beneficial for the Council to receive reports from the various boards and committees periodically to keep Councilors informed and up-to-date.

The Reverend Larry Brickner-Wood has been invited to attend Monday night's Town Council meeting to provide a brief update to Council members regarding the commission's current activities.

LEGAL AUTHORITY:

Section 11.1 (I) of the Durham Town Charter.

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

No formal action required. Receive presentation from HDC /HC Chair, The Reverend Larry Brickner-Wood, and hold question and answer session if desired.



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5555
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM:

13A

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Carolyn Singer, Historic District/Heritage Commission

AGENDA ITEM: PUBLIC HEARING AND ACTION ON RESOLUTION #2022-08
AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF \$13,500
IN UNANTICIPATED REVENUE FROM THE NH LAND AND
COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP) FOR A
STUDY BEING CONDUCTED ON THE HISTORIC CHARACTER &
PRESERVATION VALUES OF THE 1804 BICKFORD-CHESLEY
HOUSE AT WAGON HILL FARM?

CC PREPARED BY: Jennie Berry, Administrative Assistant

PRESENTED BY: Todd I. Selig, Administrator

AGENDA DESCRIPTION:

In 2021, Historic District Commission member Carolyn Singer, working with town staff, submitted a grant application to the New Hampshire Land and Community Heritage Investment Program (LCHIP) for a planning study to be done on the historic character and preservation values of the 1804 Bickford-Chesley House at Wagon Hill Farm.

The Bickford-Chesley House, an 1804 Federal-style farmhouse with mid-19th century updates, is a well-preserved example of local architecture and construction. The house retains a high degree of integrity with few changes since the 19th century. It has significance for Federal and Greek Revival style design and timber frame construction, which is an important example of local building practices. On land originally occupied by the Abenaki, it was one of the first farms in the area to be settled by Europeans, and it remained in consistent agricultural use for nearly 300 years.

The Town has been awarded a grant in the amount of \$13,500 and Administrator Selig signed a Historic Resource Project Agreement with LCHIP in December 2021 for the planning study.

Re: PH and Action on Resolution #2022-08 to Authorize Acceptance, and Expenditure of \$13,500 From NH LCHIP for a Planning Study of the Bickford-Chesley House at WHF

The scope of work will include:

- A Building Conditions Assessment for the historic Bickford-Chesley House and ell, as well as specifications for a spectrum of projects that impact the historic fabric of the structure. The Building Conditions Assessment content will adhere to the guidelines established by LCHIP and will address the current state of all historic architectural materials. Recommendations will be made for global treatment of the building as well as establishing a project priority list phased in terms of immediate, within three years, five years, and long-term.
- Baseline cost estimates for each priority project will be provided for planning and contractor bidding purposes.
- The report will also make baseline recommendations for an accessible ramp as per ADA requirements. The recommendations will carefully consider the impact on the historic structure, overall aesthetic impacts for the site and will include rudimentary schematic design in collaboration with architect Charlotte Hitchcock. Such ramp should provide universal access to the Bickford-Chesley House, the ell, and the barn.
- The report will include an engineering study and recommendations for the deteriorated first-floor joists and carrying timbers with treatment recommendations, in collaboration with a structural engineer.
- The report will include a thorough evaluation of existing mechanical systems in the building.
- The historic preservation project specifications will include specifications for roof replacement, perimeter drainage, exterior woodwork and clapboard repair, historic masonry elements, basement ventilation, recommendations for historically appropriate replacement windows and associated repairs to interior woodwork, interior plaster stabilization, rear porch restoration and overall exterior painting.

On Monday, May 16, 2022, the Town Council reviewed and discussed the attached proposed resolution and scheduled a Public Hearing on the resolution for Monday, June 6, 2022. A Public Hearing notice was published in the *Foster's/Seacoast Online* on Thursday, May 26, 2022. The notice was also posted on the outside bulletin board at Town Hall, as well as at the Durham Public Library and Department of Public Works.

LEGAL AUTHORITY:

New Hampshire Revised Statutes Annotated (RSA) 31:95-b authorizes the Town Council to apply for, accept and expend, without further action by the town or village district meeting, unanticipated money from the state, federal or other governmental unit or a private source which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific

Re: PH and Action on Resolution #2022-08 to Authorize Acceptance, and Expenditure of \$13,500
From NH LCHIP for a Planning Study of the Bickford-Chesley House at WHF

rescission of such authority. On July 12, 1999, the Town Council adopted Resolution #99-19 granting this authority to the Town Council.

RSA 31:95-b III (b) states that for unanticipated moneys in an amount less than \$10,000, the board of selectmen shall post notice of the funds in the agenda and shall include notice in the minutes of the board of selectmen meeting in which such moneys are discussed. The acceptance of unanticipated moneys under this subparagraph shall be made in public session of any regular board of selectmen meeting."

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

See attached Historic Resource Project Budget.

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION 1:

The Durham Town Council does hereby OPEN the Public Hearing on Resolution #2022-08 authorizing the acceptance and expenditure of \$13,500 in unanticipated revenue from the NH Land and Community Heritage Investment Program (LCHIP) for a study being conducted on the historic character & preservation values of the 1804 Bickford-Chesley House at Wagon Hill Farm.

MOTION 2:

The Durham Town Council does hereby CLOSE the Public Hearing on Resolution #2022-08 authorizing the acceptance and expenditure of \$13,500 in unanticipated revenue from the NH Land and Community Heritage Investment Program (LCHIP) for a study being conducted on the historic character & preservation values of the 1804 Bickford-Chesley House at Wagon Hill Farm.

MOTION 3:

The Durham Town Council does hereby, upon recommendation of the Administrator, ADOPT Resolution #2022-08 (as presented/as amended) authorizing the acceptance and expenditure of \$13,500 in unanticipated revenue from the NH Land and Community Heritage Investment Program (LCHIP) for a study being conducted on the historic character & preservation values of the 1804 Bickford-Chesley House at Wagon Hill Farm.

RESOLUTION #2022-08 OF DURHAM, NEW HAMPSHIRE

AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF \$13,500 IN UNANTICIPATED REVENUE FROM THE NH LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP) FOR A STUDY BEING CONDUCTED ON THE HISTORIC CHARACTER & PRESERVATION VALUES OF THE 1804 BICKFORD-CHESLEY HOUSE AT WAGON HILL FARM

WHEREAS, in 2021, Historic District Commission member Carolyn Singer, working with town staff, submitted a grant application to the New Hampshire Land and Community Heritage Investment Program (LCHIP) for a planning study to be done on the historic character and preservation values of the 1804 Bickford-Chesley House at Wagon Hill Farm; and

WHEREAS, the Bickford-Chesley House, an 1804 Federal-style farmhouse with mid-19th century updates, is a well-preserved example of local architecture and construction. The house retains a high degree of integrity with few changes since the 19th century; and

WHEREAS, the Bickford-Chesley House has significance for Federal and Greek Revival style design and timber frame construction and is an important example of local building practices; and

WHEREAS, the Town has been awarded a grant in the amount of \$13,500 and Administrator Selig signed a Historic Resource Project Agreement with LCHIP in December 2021 for the planning study; and

WHEREAS, Council approval is required for the acceptance and expenditure of these funds; and

WHEREAS, The Durham Town Council, on July 1, 1999, passed Resolution #99-19 authorizing the Town Council, in accordance with RSA 31:95-b, to apply for, accept, and expend unanticipated funds from a Federal, State or other governmental unit or a private source which becomes available during a fiscal year; and

WHEREAS, RSA 31:95-b III(a) requires that a Public Hearing be held on unanticipated funds in excess of \$10,000; and

WHEREAS, a public hearing notice was published in the Foster's Daily Democrat on Thursday, May 26, 2022 and was posted on the public bulletin board located outside of the Town Hall, at the Department of Public Works, and the Durham Public Library; and

WHEREAS, on Monday, June 6, 2022, a duly posted Public Hearing was held by the Durham Town Council on the \$13,500 in grant monies in accordance with RSA 31:95-b,

NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the legislative and governing body of the Town of Durham, New Hampshire does hereby adopt **Resolution #2022-08** authorizing the acceptance and expenditure of \$13,500 in unanticipated revenue from the NH Land and Community Heritage Investment Program (LCHIP) for a study being conducted on the historic character & preservation values of the 1804 Bickford-Chesley House at Wagon Hill Farm.

PASSED AND ADOPTED this ____ day of ____ by ____ affirmative votes, ____ negative votes, and ____ abstentions.

Katherine Marple, Chair
Durham Town Council

ATTEST:

Lorrie Pitt, Town Clerk-Tax Collector



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5888
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM:

13B

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Public Works Department

AGENDA ITEM: PUBLIC HEARING AND ACTION ON RESOLUTION #2022-09 TO:

1. AUTHORIZE THE RAISING, APPROPRIATING, AND EXPENDITURE OF AN ADDITIONAL EIGHT HUNDRED TWENTY-TWO THOUSAND, FIVE HUNDRED (\$822,500) WITHIN THE APPROVED FY 2022 CAPITAL FUND BUDGET (WITH \$575,750 TO COME FROM A CLEAN WATER STATE REVOLVING FUND LOAN, OF WHICH \$57,575 LOAN PRINCIPAL FORGIVENESS TO BE FORGIVEN, AND \$246,750 TO COME FROM AN ARPA GRANT) FOR THE COMPLETION OF THE LITTLEHALE CREEK AT MADBURY ROAD CULVERT PROJECT;
2. AUTHORIZE THE BORROWING, ISSUANCE, AND INCURRENCE OF DEBT OF NOT MORE THAN \$575,750 IN LONG-TERM BONDS OR NOTES IN ACCORDANCE WITH THE PROVISION OF THE MUNICIPAL FINANCE ACT (RSA CHAPTER 33) FOR COMPLETION OF THE LITTLEHALE CREEK AT MADBURY ROAD CULVERT PROJECT;
3. AUTHORIZE THE ADMINISTRATOR TO SUBMIT A CLEAN WATER STATE REVOLVING FUND LOAN APPLICATION TO THE NHDES AND EXECUTE ALL NECESSARY DOCUMENTS IN ACCORDANCE WITH NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES CHAPTER ENV-WQ FOR THE COMPLETION OF THE LITTLEHALE CREEK AT MADBURY ROAD CULVERT PROJECT; AND
4. AUTHORIZE THE ADMINISTRATOR TO SIGN A GRANT AGREEMENT AND ASSOCIATED DOCUMENTS TO ACCEPT AN AMERICAN RESCUE PLAN ACT (ARPA) GRANT IN THE AMOUNT OF \$246,750 FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE LITTLEHALE CREEK AT MADBURY ROAD CULVERT PROJECT.

CC PREPARED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works

PRESENTED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works
Todd I. Selig, Administrator

AGENDA DESCRIPTION:

The purpose of this Council Communication is to request that an additional \$822,500 be appropriated within the approved FY 2022 Capital Fund Budget for the Littlehale Creek at Madbury Road Culvert Project currently being designed by VHB Engineers. This culvert is an integral part of the overall Madbury Road Complete Streets Project which is currently in design phase. The design contract for this work was awarded to VHB Engineers by the Town Council in September 2021. More detail on the existing culvert and the proposed improvements can be found below.

Durham Public Works submitted the following pre-applications to the New Hampshire Department of Environmental Services (NHDES) as part of their project solicitation for Clean Water State Revolving Loan Funding (CWSRF) in June 2021.

| Stormwater Culvert Project Submitted as CWSRF Application | Stormwater Projects |
|---|---------------------|
| *Littlehale Creek Culvert at Madbury Road | \$822,500 |
| *Littlehale Creek Culvert at Edgewood Road | \$822,500 |
| Pettee Brook Culvert at Madbury Road | \$615,000 |
| Pettee Brook Culvert at Garrison Road | \$337,500 |
| Ellison Brook Culvert at Ross Road | \$615,000 |

In November 2021, DPW was notified that only the Littlehale Brook Culvert at Madbury Road and the Littlehale Brook Culvert at Edgewood Road were eligible for American Rescue Plan Act (ARPA) grants in the amount of \$246,750 each as well as principal forgiveness on the CWSRF Loans in the amount of \$57,575 each.

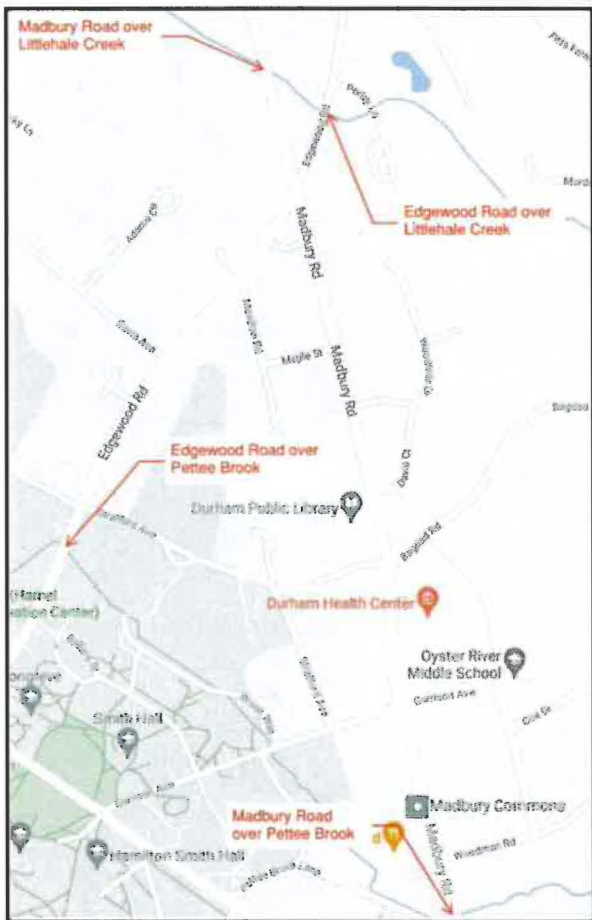
The next round of pre-application solicitation is coming up June 1, 2022 and DPW intends to include the other projects in the table above that were not funded for this round in hopes of obtaining additional ARPA grant funding or additional SRF principal forgiveness on an SRF loan for next year.

The preliminary FY23 Capital Improvements Program for the Madbury Road Complete Streets project includes over \$5 Million in multiple debt authorizations for water main, drainage and utility replacement as well as roadway and complete streets improvements. As design is advanced these cost estimates will be refined and phased as needed.

The CWSRF Loan applications and the ARPA grant agreements are both due back to NHDES by June 30th 2022. It is imperative that this work is completed in advance of the Madbury Road Complete Streets Project. If the Town were to choose to not move forward with the project at this time, or not complete the required applications by the June 30th deadline, we would risk losing the grant to another community.

In July 2021, Durham Public Works and VHB conducted a conditions assessment of five culverts as part of the drainage master plan development and identified the need for extensive construction improvements at the following locations; Littlehale Creek passing under Madbury Road, Littlehale Creek passing under Edgewood Road, Pettee Brook passing under Edgewood Road, Pettee Brook under Madbury Road, and Ellison Brook under Ross Road (*included within a future separate contract and scope*). The design of these improvements to four of these stormwater culverts is included within the scope of design services by VHB Engineers. (See Agenda Item VIII.C from the September 13, 2021 Town Council meeting [here](https://www.ci.durham.nh.us/sites/default/files/fileattachments/town_council/meeting/packets/64481/september_13_2021_council_packet.pdf)

https://www.ci.durham.nh.us/sites/default/files/fileattachments/town_council/meeting/packets/64481/september_13_2021_council_packet.pdf).



Culvert Locations Map

The Littlehale Creek culvert crossing under Madbury Road is a 24-inch reinforced concrete pipe (RCP). The pipe is approximately 67 feet long. On the inlet side of the culvert, a 4-foot high stone wall sits approximately 6'-6" back from the guardrail. The embankment in front of the wall slopes down to a stacked stone headwall at an

approximate 1.5' horizontal to 1' vertical slope (1.5H:1V). A small corrugated metal drainpipe, which originates from a catch basin in the roadway, outlets from the stone wall above the RCP inlet. The headwall on the outlet is comprised of cast in place concrete. The slopes on the outlet end of the culvert are approximately 1.5H:1V.



Madbury Road over Littlehale Creek Outlet



Madbury Road over Littlehale Creek – Void in Pipe

Portions of the culvert are in satisfactory condition and a hydraulic analysis is underway to confirm there is sufficient capacity to pass the flow from Littlehale

Brook. A video inspection of the pipe identified surface spalling, as well as infiltration staining at some of the pipe joints. Additionally, the video inspection identified a significant void on the wall of the concrete approximately 55 feet from the outlet. Voids in the soil on each side of the outlet shows evidence that water has been infiltrating the sides of the pipe and eroding the soil beneath it.

Additionally, portions of the concrete headwall have begun to spall off. The Madbury Road Complete Streets Project includes widening of the road by approximately 6 FT towards the outlet end of the culvert (the East side). Since the existing side slopes are steep, and the existing outlet headwall is only in fair condition; the widening of the roadway will be accommodated by lengthening the outlet end of the culvert. This work will include a new cast in place concrete or stone headwall and sufficiently armored slopes.

The pipe deficiencies are proposed to be addressed by lining the interior of the entire culvert to significantly extend its service life. This will avoid significant cost and traffic impacts to the community by having to closing Madbury Road to excavate out and replace the existing culvert with an entirely new one.

An important part of this culvert project and as a condition of the SRF loan and ARPA grant, the project will make various water quality improvements and stormwater treatment systems, such as deep sump catch basins that will be required with the construction of the roadway.

The Madbury Road Complete Streets Project is planned to take a phased construction approach over a minimum of 2.5 construction seasons with the Littlehale Creek Culvert at Madbury Road, Littlehale Creek Culvert at Edgewood Road, Pettee Brook Culvert at Madbury Road (including drainage improvements on Pettee Brook Lane), and the Pettee Brook Culvert at Garrison Road, are planned for construction in 2023, followed by water main, sewer and utilities replacement in 2024, and roadway, sidewalk and streetscape improvements in 2025. The Ross Road culvert will also be included in culvert work planned for 2023.

Design efforts are currently underway. A Madbury Road Complete Streets Project public informational meeting is tentatively planned for **June 15, 2022 at 6:30pm at the Durham Public Library**. VHB and DPW are also working on GIS Story Map with interactive features, (to be shared soon), so that the public can provide input on the project, see meeting notes, view presentations, etc. More will be shared on this in the next few weeks.

Re: Public Hearing and Action on Resolution #2022-09 for Clean Water SRF loan/ARPA Grant for Littlehale Creek at Madbury Road Culvert

This schedule does not include time for unexpected delays due to permitting, right-of-way coordination, right of access permitting, or for any other reason, including delays by third parties such as NHDOT, NHDES, or utility companies.

On Monday, May 16, 2022, the Town Council reviewed and discussed the attached proposed resolution and scheduled a Public Hearing on the resolution for Monday, June 6, 2022. A Public Hearing notice was published in the *Foster's/Seacoast Online* on Thursday, May 19, 2022. The notice was also posted on the outside bulletin board at Town Hall, as well as at the Durham Public Library and Department of Public Works.

LEGAL AUTHORITY:

Article 5 Section 5.5 of the Durham Town Charter states that no appropriation shall be made for any purpose not included in the annual budget as adopted unless approved by a **two-thirds (2/3) majority of the Council after a public hearing**. The Council shall, **by resolution**, designate the source of any money so appropriated. This provision shall not apply, however, to emergency appropriations adopted pursuant to 3.10 of this Charter.

Article 5, Section 5.12 of the Durham Town Charter states that no bonds shall be issued by the Town Council in excess of \$500,000.00 per issue except by a **two-thirds (2/3) vote** of the Council. In addition, 5.12 states that the Council shall hold a **public hearing** on such bond issue in excess of five hundred thousand dollars (\$500,000.00) preceding its vote on the issue.

NH RSA 33:9 authorizes the issuance of bonds by a city, **by resolution** of the Council, passed by at least **two-thirds (2/3) vote** of all Council members.

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

An additional \$822,500 will be appropriated within the approved FY 2022 Capital Fund Budget for the project. Funds will come from a Clean Water State Revolving Fund loan, an ARPA grant award, and partial principal forgiveness, with local tax dollars covering the remainder.

For 2023, the tax rate impact would be estimated at an additional \$0.03 per project (0.35% increase or \$35,000 increase). This is based on a 20-year payback.

Re: Public Hearing and Action on Resolution #2022-09 for Clean Water SRF loan/ARPA Grant for Littlehale Creek at Madbury Road Culvert

| | Littlehale Culvert at Madbury Road |
|---------------------------|------------------------------------|
| Total Project | \$822,500 |
| ARPA Grant Award | \$246,750 |
| SRF Principal Forgiveness | \$57,575 |
| SRF Loan | \$575,750 |

****Total SRF Loan after principal forgiveness will be \$575,750 - \$57,575 = \$518,175**

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION 1:

The Durham Town Council does hereby OPEN the Public Hearing on Resolution #2022-09 to:

- 1. Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With \$575,750 to Come From a Clean Water State Revolving Fund loan, of Which \$57,575 Loan Principal Forgiveness to be Forgiven, And \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Madbury Road Culvert Project;*
- 2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Madbury Road Culvert Project; and*
- 3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Madbury Road Culvert Project; and*
- 4. Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Madbury Road Culvert Project.*

MOTION 2:

The Durham Town Council does hereby CLOSE the Public Hearing on Resolution #2022-09 to:

- 1. Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With \$575,750 to Come From a Clean Water State Revolving Fund loan, of Which \$57,575 Loan Principal Forgiveness to be Forgiven,*

Re: Public Hearing and Action on Resolution #2022-09 for Clean Water SRF loan/ ARPA Grant for Littlehale Creek at Madbury Road Culvert

And \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Madbury Road Culvert Project;

- 2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Madbury Road Culvert Project; and*
- 3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Madbury Road Culvert Project; and*
- 4. Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Madbury Road Culvert Project.*

MOTION 3:

The Durham Town Council does hereby, upon a two-thirds (2/3) majority vote, ADOPT Resolution #2022-09 to:

- 1. Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With \$575,750 to Come From a Clean Water State Revolving Fund loan, of Which \$57,575 Loan Principal Forgiveness to be Forgiven, And \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Madbury Road Culvert Project;*
- 2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Madbury Road Culvert Project; and*
- 3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Madbury Road Culvert Project; and*
- 4. Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Madbury Road Culvert Project.*

RESOLUTION #2022-09 OF DURHAM, NEW HAMPSHIRE

- 1. AUTHORIZE THE RAISING, APPROPRIATING, AND EXPENDITURE OF AN ADDITIONAL EIGHT HUNDRED TWENTY-TWO THOUSAND, FIVE HUNDRED (\$822,500) WITHIN THE APPROVED FY 2022 CAPITAL FUND BUDGET (WITH \$575,750 TO COME FROM A CLEAN WATER STATE REVOLVING FUND LOAN, OF WHICH \$57,575 OF LOAN PRINCIPAL FORGIVENESS TO BE FORGIVEN, AND \$246,750 TO COME FROM AN ARPA GRANT) FOR THE COMPLETION OF THE LITTLEHALE CREEK AT MADBURY ROAD CULVERT PROJECT;**
- 2. AUTHORIZE THE BORROWING, ISSUANCE, AND INCURRENCE OF DEBT OF NOT MORE THAN \$575,750 IN LONG-TERM BONDS OR NOTES IN ACCORDANCE WITH THE PROVISION OF THE MUNICIPAL FINANCE ACT (RSA CHAPTER 33) FOR COMPLETION OF THE LITTLEHALE CREEK AT MADBURY ROAD CULVERT PROJECT; AND**
- 3. AUTHORIZE THE ADMINISTRATOR TO SUBMIT A CLEAN WATER STATE REVOLVING FUND LOAN APPLICATION TO THE NHDES AND EXECUTE ALL NECESSARY DOCUMENTS IN ACCORDANCE WITH NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES CHAPTER ENV-WQ FOR THE COMPLETION OF THE LITTLEHALE CREEK AT MADBURY ROAD CULVERT PROJECT; AND**
- 4. AUTHORIZE THE ADMINISTRATOR TO SIGN A GRANT AGREEMENT AND ASSOCIATED DOCUMENTS TO ACCEPT AN AMERICAN RESCUE PLAN ACT (ARPA) GRANT IN THE AMOUNT OF \$246,750 FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE LITTLEHALE CREEK AT MADBURY ROAD CULVERT PROJECT.**

WHEREAS, the Town of Durham, after thorough consideration, decided that the completion of the Littlehale Creek at Madbury Road Project is critical infrastructure and an integral piece to the overall Madbury Road Complete Streets Project, and to that end it is necessary to apply for assistance from the State Revolving Fund (SRF) and American Rescue Plan Act (ARPA); and

WHEREAS, the Town of Durham expects to receive principal forgiveness on the SRF loan in the amount of \$57,575 and an American Rescue Plan Act (ARPA) Grant in the amount of \$246,750 for the Project; and,

WHEREAS, the Town of Durham has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Wq 500, which relate to loans from the Clean Water State Revolving Fund and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith;

WHEREAS, no funds for such a study were approved in the Town's approved FY 2022 Capital Fund Budget; and

WHEREAS, Section 5.5 of the Durham Town Charter states that no appropriation shall be made for any purpose not included in the annual budget as adopted unless approved by a two-thirds (2/3) majority of the Council after a public hearing. The Council shall, by resolution, designate the source of any money so appropriated; and

WHEREAS, a duly posted Public Hearing on the additional appropriation of \$822,500 within the approved FY 2022 Capital Fund Budget was held on Monday, June 6, 2022; and

WHEREAS, the Town of Durham will need to borrow and incur the debt of not more than \$822,500 in accordance with the provision of the Municipal Finance Act (RSA Chapter 33) and outlined in Section 5.12 of the Durham Town Charter which states that no bonds shall be issued by the Town Council in excess of \$500,000.00 per issue except by a two-thirds (2/3) vote of the Council. In addition, 5.12 states that the Council shall hold a public hearing on such bond issue in excess of five hundred thousand dollars (\$500,000.00) preceding its vote on the issue; and

WHEREAS, NH RSA 33:9 authorizes the issuance of bonds by a city, by resolution of the Council, passed by at least two-thirds (2/3) vote of all Council members,

NOW, THEREFORE BE IT RESOLVED by the Durham Town Council, the governing body of the Town of Durham, New Hampshire, does hereby approve **Resolution 2022-09** to:

1. Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With \$575,750 to Come From a Clean Water State Revolving Fund loan, of Which \$57,575 of Loan Principal Forgiveness to be Forgiven, And \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Madbury Road Culvert Project;
2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Madbury Road Culvert Project;

3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Madbury Road Culvert Project; and
4. Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Madbury Road Culvert Project.

PASSED AND ADOPTED this 6th day of June, 2022 by a **two-thirds majority vote** of the Durham Town Council with ____ voting in favor, ____ voting against, and ____ abstaining.

Katherine Marple, Chair
Durham Town Council

ATTEST:

Lorrie Pitt, Town Clerk-Tax Collector



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5444
Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM:

13C

DATE: June 6, 2022

COUNCIL COMMUNICATION

INITIATED BY: Public Works Department

AGENDA ITEM: PUBLIC HEARING AND ACTION ON RESOLUTION #2022-10 TO:

1. AUTHORIZE THE RAISING, APPROPRIATING, AND EXPENDITURE OF AN ADDITIONAL EIGHT HUNDRED TWENTY-TWO THOUSAND, FIVE HUNDRED (\$822,500) WITHIN THE APPROVED FY 2022 CAPITAL FUND BUDGET (WITH \$575,750 TO COME FROM A CLEAN WATER STATE REVOLVING FUND LOAN, OF WHICH \$57,575 OF LOAN PRINCIPAL FORGIVENESS TO BE FORGIVEN, AND \$246,750 TO COME FROM AN ARPA GRANT) FOR THE COMPLETION OF THE LITTLEHALE CREEK AT EDGEWOOD ROAD CULVERT PROJECT;
2. AUTHORIZE THE BORROWING, ISSUANCE, AND INCURRENCE OF DEBT OF NOT MORE THAN \$575,750 IN LONG-TERM BONDS OR NOTES IN ACCORDANCE WITH THE PROVISION OF THE MUNICIPAL FINANCE ACT (RSA CHAPTER 33) FOR COMPLETION OF THE LITTLEHALE BROOK AT EDGEWOOD ROAD CULVERT PROJECT;
3. AUTHORIZE THE ADMINISTRATOR TO SUBMIT A CLEAN WATER STATE REVOLVING FUND LOAN APPLICATION TO THE NHDES AND EXECUTE ALL NECESSARY DOCUMENTS IN ACCORDANCE WITH NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES CHAPTER ENV-WQ FOR THE COMPLETION OF THE LITTLEHALE BROOK AT EDGEWOOD ROAD CULVERT PROJECT; AND
4. AUTHORIZE THE ADMINISTRATOR TO SIGN A GRANT AGREEMENT AND ASSOCIATED DOCUMENTS TO ACCEPT AN AMERICAN RESCUE PLAN ACT (ARPA) GRANT IN THE AMOUNT OF \$246,750 FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE LITTLEHALE BROOK AT EDGEWOOD ROAD CULVERT PROJECT

CC PREPARED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works

PRESENTED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works
Todd I. Selig, Administrator

AGENDA DESCRIPTION:

The purpose of this Council Communication is to request that an additional \$822,500 be appropriated within the approved FY 2022 Capital Fund Budget for the Littlehale Creek at Edgewood Road Culvert Project currently being designed by VHB Engineers. This culvert is an integral part of the overall Madbury Road Complete Streets Project which is currently in design phase. The design contract for this work was awarded to VHB Engineers by the Town Council in September 2021. More detail on the existing culvert and the proposed improvements can be found below.

Durham Public Works submitted the following pre-applications to the New Hampshire Department of Environmental Services (NHDES) as part of their project solicitation for Clean Water State Revolving Loan Funding (CWSRF) in June 2021.

| Stormwater Culvert Project Submitted as CWSRF Application | Stormwater Projects |
|---|---------------------|
| *Littlehale Creek Culvert at Madbury Road | \$822,500 |
| *Littlehale Creek Culvert at Edgewood Road | \$822,500 |
| Pettee Brook Culvert at Madbury Road | \$615,000 |
| Pettee Brook Culvert at Garrison Road | \$337,500 |
| Ellison Brook Culvert at Ross Road | \$615,000 |

In November 2021, DPW was notified that only the Littlehale Brook Culvert at Madbury Road and the Littlehale Brook Culvert at Edgewood Road were eligible for American Rescue Plan Act (ARPA) grants in the amount of \$246,750 each as well as principal forgiveness on the CWSRF Loans in the amount of \$57,575 each.

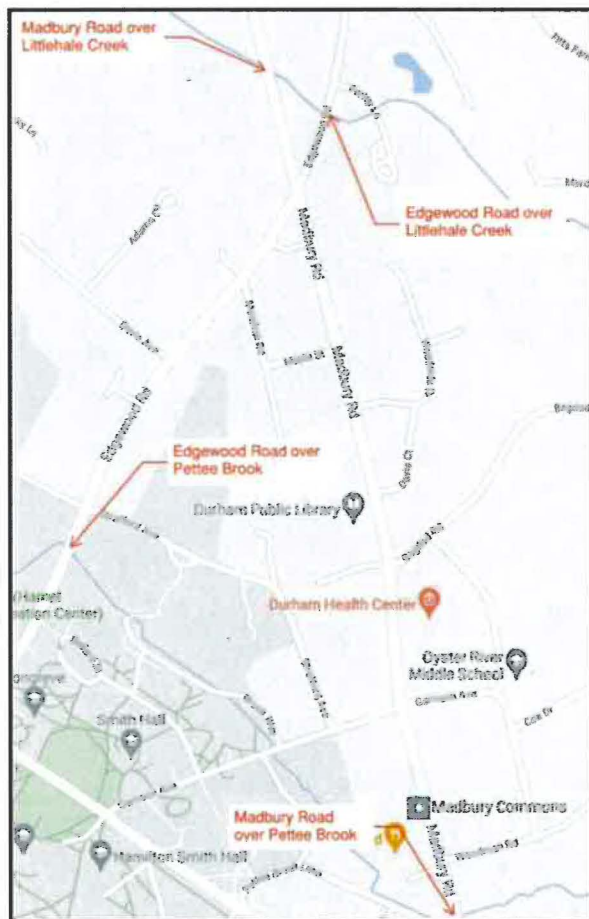
The next round of pre-application solicitation is coming up June 1, 2022 and DPW intends to include the other projects in the table above that were not funded for this round in hopes of obtaining additional ARPA grant funding or additional SRF principal forgiveness on an SRF loan for next year.

The preliminary FY23 Capital Improvements Program for the Madbury Road Complete Streets project includes over \$5 Million in multiple debt authorizations for water main, drainage and utility replacement as well as roadway and complete streets improvements. As design is advanced these cost estimates will be refined and phased as needed.

The CWSRF Loan applications and the ARPA grant agreements are both due back to NHDES by June 30, 2022. It is imperative that this work is completed in advance of the Madbury Road Complete Streets Project. If the Town were to choose to not move forward with the project at this time, or not complete the required applications by the June 30th deadline, we would risk losing the grant to another community.

In July 2021, Durham Public Works and VHB conducted a conditions assessment of five culverts as part of the drainage master plan development and identified the need for extensive construction improvements at the following locations; Littlehale Creek passing under Madbury Road, Littlehale Creek passing under Edgewood Road, Pettee Brook passing under Edgewood Road, Pettee Brook under Madbury Road, and Ellison Brook under Ross Road (*included within a future separate contract and scope*). The design of these improvements to four of these stormwater culverts is included within the scope of design services by VHB Engineers. (See Agenda Item VIII.C from the September 13, 2021 Town Council meeting here

https://www.ci.durham.nh.us/sites/default/files/fileattachments/town_council/meeting/packets/64481/september_13_2021_council_packet.pdf).



Culvert Locations Map

The Edgewood Road culvert is a stacked stone box culvert that is approximately 32 inches wide by 32 inches tall and roughly 72 feet long. The inlet is heavily obstructed by soil and debris, the height of which is approximately 4 feet above bottom of

culvert to top of soil. The outlet end of the culvert is largely clear of debris, however there is a fractured top stone over the outlet headwall. The side slopes on both the inlet and outlet ends are between 1.5H:1V and 1H:1V, with light stone armoring over the outlet end.



*Snapped Stone at Outlet headwall – (Left) and Fallen Stones from Sidewall and Ceiling (Right)
Littlehale Brook at Edgewood Road Stone Box Culvert*

The video inspection showed fallen and shifted stones from both the wall and ceiling of the culvert approximately 59 feet from the inlet. The history of this deficiency is unknown since there are no prior inspection photos or reports available at this location. However, it is assumed the stones have shifted recently since the exposed granite surfaces of the breaks in the stones appear clean and not stained with age.

Given the age of the structure, the potential signs of shifting and/or settling, and evidence that the culvert cannot pass fines efficiently (given the 4' of built-up sediment at the inlet), this culvert is proposed to be entirely replaced with a new box culvert. The culvert size is currently being determined. While the culvert is very deep (approximately 30 ft below Edgewood Road), there is significantly less impact to traffic to close this section of Edgewood Road than there would be for Madbury Road. There is a water line crossing at this culvert however there is not a sewer crossing. We expect Edgewood Road from Madbury Road to Emerson Road to be closed for the duration of the construction project however local traffic would be permitted.

An important part of this culvert project and as a condition of the SRF loan and ARPA grant, the project will make various water quality improvements and stormwater treatment systems, such as deep sump catch basins that will be required with the construction of the roadway.

The Madbury Road Complete Streets Project is planned to take a phased construction approach over a minimum of 2.5 construction seasons with the Littlehale Creek Culvert at Madbury Road, Littlehale Creek Culvert at Edgewood Road, Pettee Brook Culvert at Madbury Road (including drainage improvements on Pettee Brook Lane), and the Pettee Brook Culvert at Garrison Road, are planned for construction in 2023, followed by water main, sewer and utilities replacement in 2024, and roadway, sidewalk and streetscape improvements in 2025. The Ross Road culvert will also be included in culvert work planned for 2023.

Design efforts are currently underway. A Madbury Road Complete Streets Project public informational meeting is tentatively planned for **June 15, 2022 at 6:30pm at the Durham Public Library**. VHB and DPW are also working on GIS Story Map with interactive features, (to be shared soon), so that the public can provide input on the project, see meeting notes, view presentations, etc. More will be shared on this in the next few weeks.

This schedule does not include time for unexpected delays due to permitting, right-of-way coordination, right of access permitting, or for any other reason, including delays by third parties such as NHDOT, NHDES, or utility companies.

On Monday, May 16, 2022, the Town Council reviewed and discussed the attached proposed resolution and scheduled a Public Hearing on the resolution for Monday, June 6, 2022. A Public Hearing notice was published in the *Foster's/Seacoast Online* on Thursday, May 19, 2022. The notice was also posted on the outside bulletin board at Town Hall, as well as at the Durham Public Library and Department of Public Works.

LEGAL AUTHORITY:

Article 5 Section 5.5 of the Durham Town Charter states that no appropriation shall be made for any purpose not included in the annual budget as adopted unless approved by a **two-thirds (2/3) majority of the Council after a public hearing**. The Council shall, **by resolution**, designate the source of any money so appropriated. This provision shall not apply, however, to emergency appropriations adopted pursuant to 3.10 of this Charter.

Article 5, Section 5.12 of the Durham Town Charter states that no bonds shall be issued by the Town Council in excess of \$500,000.00 per issue except by a **two-thirds (2/3) vote** of the Council. In addition, 5.12 states that the Council shall hold a **public hearing** on such bond issue in excess of five hundred thousand dollars (\$500,000.00) preceding its vote on the issue.

NH RSA 33:9 authorizes the issuance of bonds by a city, by **resolution** of the Council, passed by at least **two-thirds (2/3)** vote of all Council members.

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

An additional \$822,500 will be appropriated within the approved FY 2022 Capital Fund Budget for the project. Funds will come from a Clean Water State Revolving Fund loan, an ARPA grant award, and partial principal forgiveness, with local tax dollars covering the remainder.

For 2023, the tax rate impact would be estimated at an additional \$0.03 per project (0.35% increase or \$35,000 increase). This would be based on a 20-year payback.

| | Littlehale Culvert at Edgewood Road |
|---------------------------|-------------------------------------|
| Total Project | \$822,500 |
| ARPA Grant Award | \$246,750 |
| SRF Principal Forgiveness | \$57,575 |
| SRF Loan | \$575,750 |

****Total SRF Loan after principal forgiveness will be \$575,750 - \$57,575 = \$518,175**

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION 1:

The Durham Town Council does hereby OPEN the Public Hearing on Resolution #2022-10 to:

- 1. Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With \$575,750 to Come From a Clean Water State Revolving Fund loan , of Which \$57,575 of Loan Principal Forgiveness to be Forgiven, And \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Edgewood Road Culvert Project;*
- 2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Edgewood Road Culvert Project;*
- 3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Edgewood Road Culvert Project; and*

4. *Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Edgewood Road Culvert Project.*

MOTION 2:

The Durham Town Council does hereby CLOSE the Public Hearing on Resolution #2022-10 to:

1. *Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With \$575,750 to Come From a Clean Water State Revolving Fund loan , of Which \$57,575 of Loan Principal Forgiveness to be Forgiven, And \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Edgewood Road Culvert Project;*
2. *Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Edgewood Road Culvert Project;*
3. *Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Edgewood Road Culvert Project; and*
4. *Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Edgewood Road Culvert Project.*

MOTION 3:

The Durham Town Council does hereby, upon a two-thirds (2/3) majority vote, ADOPT Resolution #2022-10 to:

1. *Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With \$575,750 to Come From a Clean Water State Revolving Fund loan , of Which \$57,575 of Loan Principal Forgiveness to be Forgiven, And \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Edgewood Road Culvert Project;*
2. *Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Edgewood Road Culvert Project;*

Re: Public Hearing and Action on Resolution #2022-10 for Clean Water SRF loan/ ARPA Grant for Littlehale Creek at Edgewood Road Culvert

3. *Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Edgewood Road Culvert Project; and*
4. *Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Edgewood Road Culvert Project.*

RESOLUTION #2022-10 OF DURHAM, NEW HAMPSHIRE

- 1. AUTHORIZE THE RAISING, APPROPRIATING, AND EXPENDITURE OF AN ADDITIONAL EIGHT HUNDRED TWENTY-TWO THOUSAND, FIVE HUNDRED (\$822,500) WITHIN THE APPROVED FY 2022 CAPITAL FUND BUDGET (WITH \$575,750 TO COME FROM A CLEAN WATER STATE REVOLVING FUND LOAN, OF WHICH \$57,575 OF LOAN PRINCIPAL FORGIVENESS TO BE FORGIVEN, AND \$246,750 TO COME FROM AN ARPA GRANT) FOR THE COMPLETION OF THE LITTLEHALE CREEK AT EDGEWOOD ROAD CULVERT PROJECT;**
- 2. AUTHORIZE THE BORROWING, ISSUANCE, AND INCURRENCE OF DEBT OF NOT MORE THAN \$575,750 IN LONG-TERM BONDS OR NOTES IN ACCORDANCE WITH THE PROVISION OF THE MUNICIPAL FINANCE ACT (RSA CHAPTER 33) FOR COMPLETION OF THE LITTLEHALE CREEK AT EDGEWOOD ROAD CULVERT PROJECT;**
- 3. AUTHORIZE THE ADMINISTRATOR TO SUBMIT A CLEAN WATER STATE REVOLVING FUND LOAN APPLICATION TO THE NHDES AND EXECUTE ALL NECESSARY DOCUMENTS IN ACCORDANCE WITH NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES CHAPTER ENV-WQ FOR THE COMPLETION OF THE LITTLEHALE CREEK AT EDGEWOOD ROAD CULVERT PROJECT; AND**
- 4. AUTHORIZE THE TOWN ADMINISTRATOR TO SIGN A GRANT AGREEMENT AND ASSOCIATED DOCUMENTS TO ACCEPT AN AMERICAN RESCUE PLAN ACT (ARPA) GRANT IN THE AMOUNT OF \$246,750 FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE LITTLEHALE CREEK AT EDGEWOOD ROAD CULVERT PROJECT.**

WHEREAS, the Town of Durham, after thorough consideration, decided that the completion of the Littlehale Creek at Edgewood Road Project is critical infrastructure and an integral piece to the overall Madbury Road Complete Streets Project, and to that end it is necessary to apply for assistance from the State Revolving Fund (SRF) and American Rescue Plan Act (ARPA); and

WHEREAS, the Town of Durham expects to receive principal forgiveness on the SRF loan in the amount of \$57,575 and an American Rescue Plan Act (ARPA) Grant in the amount of \$246,750 for the Project; and,

WHEREAS, the Town of Durham has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Wq 500, which relate to loans from the Clean Water State Revolving Fund and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith;

WHEREAS, no funds for such a study were approved in the Town's approved FY 2022 Capital Fund Budget; and

WHEREAS, Section 5.5 of the Durham Town Charter states that no appropriation shall be made for any purpose not included in the annual budget as adopted unless approved by a two-thirds (2/3) majority of the Council after a public hearing. The Council shall, by resolution, designate the source of any money so appropriated; and

WHEREAS, a duly posted Public Hearing on the additional appropriation of \$822,500 within the approved FY 2022 Capital Fund Budget was held on Monday, June 6, 2022; and

WHEREAS, the Town of Durham will need to borrow and incur the debt of not more than \$822,500 in accordance with the provision of the Municipal Finance Act (RSA Chapter 33) and outlined in Section 5.12 of the Durham Town Charter which states that no bonds shall be issued by the Town Council in excess of \$500,000.00 per issue except by a two-thirds (2/3) vote of the Council. In addition, 5.12 states that the Council shall hold a public hearing on such bond issue in excess of five hundred thousand dollars (\$500,000.00) preceding its vote on the issue; and

WHEREAS, NH RSA 33:9 authorizes the issuance of bonds by a city, by resolution of the Council, passed by at least two-thirds (2/3) vote of all Council members,

NOW, THEREFORE BE IT RESOLVED by the Durham Town Council, the governing body of the Town of Durham, New Hampshire, does hereby approve **Resolution 2022-10** to:

1. Authorize the Raising, Appropriating, and Expenditure of an Additional Eight Hundred Twenty-Two Thousand, Five Hundred (\$822,500) Within the Approved FY 2022 Capital Fund Budget (With \$575,750 to Come From a Clean Water State Revolving Fund loan, of Which \$57,575 of Loan Principal Forgiveness to be Forgiven, And \$246,750 to come from an ARPA Grant) for the Completion of the Littlehale Creek at Edgewood Road Culvert Project;
2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$575,750 in Long-term Bonds or Notes in Accordance with the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Edgewood Road Culvert Project;

3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Edgewood Road Culvert Project; and
4. Authorize the Administrator to Sign a Grant Agreement and Associated Documents to Accept an American Rescue Plan Act (ARPA) Grant in the Amount of \$246,750 From the New Hampshire Department of Environmental Services for the Littlehale Creek at Edgewood Road Culvert Project.

PASSED AND ADOPTED this 6th day of June, 2022 by a **two-thirds (2/3) majority vote** of the Durham Town Council with voting in favor, voting against, and abstaining.

Katherine Marple, Chair
Durham Town Council

ATTEST:

Lorrie Pitt, Town Clerk-Tax Collector