



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## BOARD OF SELECTMEN MEETING MINUTES February 21, 2012 PM

### PRESENT:

Mark Kaplan, Chair, Board of Selectmen  
Tina Helm, Selectman  
Peter Bianchi, Selectman  
Kimberly Hallquist, Town Administrator  
Wendy Johnson, Finance Officer

### ALSO PRESENT:

Maureen Prohl, Elkins Committee  
Mike McChesney, Elkins Committee  
Rick Anderson  
John Wilson  
William Rose, State of NH Department of Transportation (DOT)  
Richard Lee, Public Works Director  
Merry Armentrout, Reporter for *the Intertown Record*

Chair Kaplan called the meeting to order at 1:02pm.

Mr. Kaplan stated that they were there to discuss the process of picking an engineer for the Elkins project. William Rose, from the State of New Hampshire DOT, said that since this was a federally funded project, the process they have outlined must be used. This process governs the hiring of engineers, surveyors and architects and admitted that it tended to be different from the process they are used to using within the town. They first need to determine who the most qualified firm is. Then they will be able to negotiate the scope and fee with the engineers. This is as opposed to going to the lowest bid. Mr. Rose said that they will compile a list noting the most desirable firms. If one firm is passed over to go to the next on the list, they may not return to that firm later on. Cost cannot be used as a bargaining chip.

Mr. Bianchi said that from a logical point of view, this method goes against common sense. This project is rather small, the firms have all been pre-qualified by the State of New Hampshire. He wasn't sure that any of the firms were that much more qualified to do the work than another and thought that money could be wasted by not allowing them to consider cost when making their decisions.

Mr. Rose said that the town has to identify the proposed scope and then come up with their own estimate for the project. This estimate should help them determine whether a firm's estimate was high, low or fair. Mr. Rose felt that with Mr. Lee's construction experience and Ms. Hallquist's municipal experience that they should be able to come up with a reasonable estimate. He noted that he was also a resource that could be used when configuring this estimate.

Mr. Bianchi said that they have appropriated approximately \$800,000 to spend on the entire project – including construction and engineering. He added that some of the RFQs came in listing monetary estimates. He asked if they decide they like a firm if they would just tell the other firms "thanks but no thanks." Mr. Rose said that they must first submit the qualifications and plans from the firm they most

desire to the State to review and make sure everything is in order. Once the State has given approval, they can then dismiss the other firms. Mr. Rose added that like it or not, this is the process that must be followed when using federal funds, as it is statute. Ms. Prohl thought they would interview the firms without any money estimates given, and would then rank them. Mr. Rose said that was correct. Mr. Anderson asked if this method was put in place to try and hire people on qualifications alone. Mr. Rose answered in the affirmative. Chair Kaplan said that in a couple of instances, the firms did give estimates and some were too high. He thought that they either didn't want the job or they weren't following the directions. Mr. Rose said that these qualified firms know that they are not to offer estimates, but what they are not aware of is that the State is now checking to make sure these things aren't included in the RFQs.

Chair Kaplan said that the State has set the limit on how much they are able to spend on this project, and they need to find a firm that will stay within this limit. Mr. Rose said that they try to give serious consideration that there are always going to be unknowns in a project as they go forward. There may potentially be discussions that come up to determine if there are other federal funds that could be obtained if needed. If a compelling case can be made for increasing the budget, it can be looked into further.

Mr. Rose said that they should look at the RFQs with a blind eye to any listed costs that may be contained within the proposal. Mr. McChesney said that was the way he looked at the RFQs to begin with. Mr. Bianchi observed that they could leave a lot of money on the table by the process they are being forced to follow because the town won't know how much all the firms would be willing to do the job for. Mr. McChesney said this is money they didn't have to begin with. Not to say they should waste money but part of it is a big gift coming to the town. If they have to follow the government's rules to do the project, they have to follow them. Mr. Rose reiterated to them that they would need to interview the firms without including criteria for cost.

Mr. Bianchi said since starting the process, they have a potential major project coming up with the dam in Elkins. They have a preliminary report from Wright-Pierce, who has not been hired as the firm to make the repairs to the dam, but just to analyze the dam and present some possible solutions. The Elkins project and the dam repair project are slated to be done within the same time period. He wondered how they could/would overlap. They don't want to get the sidewalk in and then end up having to rip it up to fix the dam. If they could choose, they'd like to fix the dam and then go forward with the Elkins project. Mr. Bianchi wondered if the Elkins project could be delayed a year. Mr. Rose said that it could and said that this was a flexible process. He felt that they could coordinate the projects so they didn't interfere with each other.

Mr. Rose asked if they had chosen a consultant for the dam project. Mr. Bianchi said that on February 6, a presentation was given by Wright-Pierce, who had been hired to do the required emergency action plan for the dam. During that process, they attempted to get the dam's classification lowered to "significant hazard" but were unable to. As a result, they prepared some very preliminary plans of what the town is looking at to comply with the "high hazard" classification. Mr. Rose said that that the two consultants chosen for the two projects could work together and work in phases to prevent having to do the same work twice and wasting money.

Chair Kaplan wondered how the money flows from the grant. Mr. Rose said that every month Ms. Hallquist will send a progress report to the State. The money will be paid out every 30 days. There is a two-week turnaround between when the State Treasury receives this report and when the Town receives 80% of the eligible costs. The Town pays first and then the State comes in behind to reimburse. Mr. Rose said if they get into a situation where the town is short on funds before they are reimbursed, to let him to know so they could work something out.

Ms. Helm asked if there was any benefit to having one engineer for both projects. Mr. Rose said they could talk about that and if they find a firm that could do both, that was a possibility. It could give them a potential contractual advantage. He thought it would be difficult to find a firm that would be qualified for both projects. Ms. Helm thought it would be a logical decision to use one firm.

Ms. Prohl said a couple firms had archaeologists and/or engineers with bridge management service experience on staff. The grant says that they require an archaeological consultant. She wondered if these firms were any more qualified than others because of this expertise on staff. Mr. Rose said that he wasn't sure if firms that had these people already on staff would be ahead of the game. Any time digging is being done, they have to go through a two-pronged resource review. One is natural and one is cultural.

Mr. Rose said he was happy to be of assistance with this project and noted that they have had great success with other towns that have also had to jump through these "hoops" to get the work done. Towns are always happy with the end result. Mr. Rose left the meeting at this time.

Chair Kaplan said they now need to determine which firms they would like to interview. Ms. Hallquist said that they have to determine how much time they would allow each firm to have. It was determined to give each firm 30 minutes, with enough time allotted to span to 45 minutes, if needed. The five firms they wish to interview are: CLD, Provan & Lourber, Holden Engineering, Pathway, and CHA.

Mr. Lee suggested that if people have questions in mind they'd like to ask the firms, perhaps they could email them to Ms. Hallquist so that every firm can be asked the same questions. He thought they should have 10-12 questions ready to ask each firm.

Mr. Bianchi summarized that the total project was worth \$798,340, 20% is how much the town was responsible for. This would be taken from the Intersection and Sidewalk Capital Improvement funds. That money has been earmarked. They will be sending bills to the State of New Hampshire for about \$800,000 over the course of this project.

Mr. Bianchi said that they should each take a couple questions to ask of each firm. Follow-up questions are allowed, but the initial questions should be pointed and specific.

After some discussion, March 1<sup>st</sup> was chosen as the interview day. The first interview would begin at 8am and following interviews would begin in 45 minute intervals.

#### Other Business

Mr. Bianchi asked Mr. Lee about the Sunapee sewer line. He asked if the property owner in Sunapee who wanted to hook on to the town's line (Ruedig-Bridge-Kraeger family), ever had the required engineering done to have a private line installed into the town's line. Mr. Lee said that it had been done. Mr. Bianchi said that Chair Kaplan has another request from someone else who wants to do the same thing. Mr. Lee said this is an entirely separate hook-up and wasn't involved with the previous request. He explained that these people will be charged individually. They have to pay the connection fee, which is a \$2,000 minimum, and then a fee based on the square footage of the home. Mr. Lee said that it is not good idea to drill a lot of small holes into the main pipe for several people. A larger pipe servicing more people at once will enable more flows from more homes rather than several small pipes coming in from this one person or several other people. He didn't think it was a good idea to keep allowing these people, one at a time, to connect.

Mr. Bianchi asked where the sewage was metered. Mr. Lee said Sunapee has a flow meter. New London's is metered at the town line. All the meters fax the information to the Sunapee treatment plant, Sunapee town office and the New London wastewater treatment office every day. They take the total at the plant, minus what the town sends, which is how they determine New London's portion of the flows. Mr. Lee said they deduct 3% of the metered flows coming from New London to compensate for what New London pays to pump flows from Georges Mills.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to adjourn the meeting.  
THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 2:30pm.

Respectfully submitted,

Kristy Heath, Recording Secretary  
Town of New London