

**MUNICIPAL WORK ZONE AGREEMENT
FOR
STATEWIDE CRACK SEAL**

**STATE PROJECT: 45380
FEDERAL PROJECT: X-A005(800)**

THIS AGREEMENT, executed in *duplicate*, made and entered into this _____ day of _____, 2026, between the New Hampshire Department of Transportation, hereinafter called the “DEPARTMENT” and the City of *Concord*, hereinafter called the “CITY.”

WITNESSETH that,

WHEREAS, the DEPARTMENT will *crack seal a section of US 3/US 4 located in Concord. Crack sealing starts at a pavement joint north of the US 3/US 4 merge, in Boscawen, and continues east to a pavement joint roughly 500 ft east of Hannah Dustin Drive in Concord.*

WHEREAS, The State Legislature has delegated the Commissioner of the DEPARTMENT with full authority to control traffic in highway/bridge construction work zones on Class I, II, and III highways; RSA 228:21, 236:1, and 228:37;

WHEREAS, The Department intends to use a combination of flaggers and/or uniformed officers, as appropriate, to control traffic and ensure public and worker safety; and

NOW, THEREFORE, in consideration of the above premises, it is mutually agreed as follows:

- A. The DEPARTMENT shall construct project *Statewide Crack Seal, crack sealing a section of US 3/US 4* in the CITY.
- B. The DEPARTMENT will be responsible for the management and operation of the highway(s) throughout the duration of the construction of the project. This authority is also granted contractually, not statutorily, for Class IV, V, and VI highways. This includes the authority to determine the most appropriate way to control traffic within the construction work zone limits of the project.**
- C. The DEPARTMENT, as of April 1, 2013, will only compensate for the use of police officers that have successfully completed an NHDOT approved course on the Safe and Effective Use of Law Enforcement in Work Zones

IN WITNESS WHEREOF, the parties here have affixed their signatures, the City of Concord, New Hampshire, on this _____ day of _____, 2026; The Department of Transportation on this _____ day of _____, 2026.

**NEW HAMPSHIRE DEPARTMENT OF
TRANSPORTATION**

CITY OF CONCORD

By: _____
Director of Project Development

By: _____
(*AUTHORIZED MUNICIPAL OFFICIAL*)

cc: Police Chief