

51



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

The Honorable Neal M. Kurk, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

Division of Aeronautics, Rail & Transit
May 15, 2018

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the New Hampshire Department of Transportation to accept and expend revenue in the amount of \$312,754 from the New Hampshire Department of Administrative Services for the disposition of state-owned commuter coaches, Concord Coach insurance proceeds for insured damages at the Concord Stickney Avenue bus terminal, and a Caterpillar engine class action settlement for eligible commuter coach engine repairs upon the date of Fiscal Committee and Governor and Council approval through June 30, 2019. 100% Other Funds.

In SFY 2018, funds shall be accepted and expended within 04-096-096-964010-2050 – State Bus Service and Facilities, as follows:

04-096-096-964010-2050	Current Budget FY 2018	Requested Change	Revised Budget FY 2018
State Bus Service & Facilities			
Expenses:			
020 500200 Current Expense	\$7,050	\$0	\$7,050
024 500225 Maint Other than Build-Ground	250,000	0	250,000
030 500311 Equipment - New Replacement	3,209,500	253,254	3,462,754
037 500172 Technology – Hardware	56,820	57,000	113,820
038 500177 Technology- Software	20,000	0	20,000
039 500191 Telecommunications	15,000	0	15,000
046 500464 Consultants	264,000	0	264,000
047 500240 Own Forces Maint Build-Ground	25,000	0	25,000
048 500226 Contractual Maint Build-Ground	40,000	2,500	42,500
072 500575 Grants Federal	3,320,900	0	3,320,900
103 502664 Contracts for Operational Svcs	1,083,000	0	1,083,000
400 500871 Construction Repair Materials	262,000	0	262,000
Total	\$8,553,270	\$312,754	\$8,866,024

Source of Funds			
Revenue:			
000 404622 Federal Funds	\$8,553,270	\$0	\$8,553,270
007 401510 Agency Income	\$0	\$155,000	\$155,000
009 401464 Agency Income	\$0	\$157,754	\$157,754
Total	\$8,553,270	\$312,754	\$8,866,024

EXPLANATION

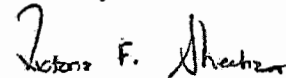
The Department requests authorization to accept and expend the proceeds from the sale of federally-funded state-owned commuter coaches and equipment, in the amount of \$157,754; insurance proceeds realized from damage at the state-owned Concord Stickney Avenue bus terminal, in the amount of approximately \$20,000; and an anticipated claim from the settlement of a class action lawsuit relative to Caterpillar engines, in the amount of \$135,000. The use of these funds will offset expenses of planned federally-eligible capital equipment purchases such as state-owned vehicles and bus terminal improvements. Per Federal circular Federal Transit Administration (FTA) C 5010.1E FTA and 2 CFR part 200, subpart D, proceeds from the sale of real property or equipment greater than \$5,000 are restricted for use on Federal eligible Transit projects.

In State Fiscal Year 2018 the Department, via the Department of Administrative Services' Bureau of Purchase and Property (White Farm Surplus), sold 12 state-owned commuter coaches and one service vehicle yielding net revenue in the amount of \$157,754. Additionally, the state-owned Concord Stickney Avenue bus terminal had a pipe burst causing water damage to security camera and computer equipment and as such, the contracted facility operator, Concord Coach, and their insurer will provide reimbursement to the State to procure replacement equipment. The estimated replacement cost for the affected security camera and IT components is estimated to be \$20,000. Lastly, the Department submitted a claim for \$135,000 of a settlement of a class action lawsuit known as *In re: Caterpillar, Inc. C13 and C15 Engine Products Liability Litigation*, United States District Court District of New Jersey, MDL No. 2540, Master Docket No. 14-3722(JBS)(JS) relative to state-owned commuter coaches, operated by Boston Express, that experienced subject engine issues as defined in the settlement.

The Department therefore requests authority to accept and expend the above unanticipated revenue in the combined amount of \$312,754, in order to expend funds on planned eligible projects in accordance with Federal Transit Administration (FTA) guidance.

Your approval of this resolution is respectfully requested.

Sincerely,



Victoria F. Sheehan
Commissioner

Attachment

Department of Transportation
FISCAL SITUATION FISCAL YEAR 2018
04-096-096-964010-20500000

State Bus Service & Facilities

Estimated revenue budgeted:	\$	8,553,270
Prior year carryforward revenue (SFY 2017):	\$	-
Additional non-budgeted revenue:	\$	<u>312,754</u>
Amount available to budget:	\$	8,866,024
Less current FY18 budget authorization:	\$	<u>8,553,270</u>
Total available for budgeting:	\$	312,754
Amount to be budgeted this request:	\$	<u>312,754</u>
Amount available to budget with future requests:	\$	<u>-</u>

Source of Non-Budgeted Revenue	Amount	Expenses through 4/6/2018	Balance
Agency Income 007 401510	\$ 155,000	\$ -	\$ 155,000
Agency Income 009 401464	\$ 157,754	-	\$ 157,754
Totals	<u>\$ 312,754</u>	<u>\$ -</u>	<u>\$ 312,754</u>

Amounts from Statement of Appropriations for AU 2050 Dated 4/6/2018

Agency Income 007 401510 \$155,000 is from Insurance Proceeds and settlement of a class action lawsuit.

Agency Income 009 401464 \$157,754 is from the proceeds of the sale of federally-funded state-owned commuter coaches.