



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

40
Beaula

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, NH 03301

Bureau of Rail & Transit
May 5, 2016

REQUESTED ACTION

Authorize the Department of Transportation to enter into a **sole source** contract amendment with Greater Derry-Salem Cooperative Alliance for Regional Transportation (CART), (Vendor 163348), Londonderry, New Hampshire, to increase the contract amount by \$30,112 from \$192,864 to \$222,976 for coordinated transportation services for seniors and individuals with disabilities, effective upon Governor and Council approval or July 1, 2016, whichever is later, through June 30, 2017. The original agreement was approved by Governor and Council on May 27, 2015, Item #63. 100% Federal Funds.

Funding for this agreement is available as follows.

	<u>FY 2017</u>
04-96-96-964010-2916	
Public Transportation	
072-500575 Grants to Non-Profits-Federal	\$30,112

EXPLANATION

In December 2015, the Department announced the availability of Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program funds (Section 5310 Formula) to support coordinated transportation services in the nine NH Regional Coordination Council regions. This **sole source** contract amendment is based on the availability of FTA Section 5310 Formula funds that the Department has sub allocated to each RCC through a formula apportionment for State Fiscal Year 2017. Since CART has been designated by the Region 9 Derry-Salem RCC to continue as the lead agency for Section 5310 Formula funded projects, this contract is proposed to be amended to include additional funds for SFY 2017 activities in this region.

CART is a recipient of both Section 5310 Purchase of Service program funds as well as Section 5310 Formula Funds to provide expanded transportation services in the Derry-Salem RCC service area. The Department entered into a two-year contract with CART for the period July 1, 2015 to June 30, 2017

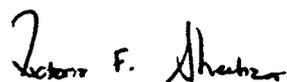
and included SFY 2016 and 2017 Section 5310 Purchase of Service funds and SFY 2016 Section 5310 Formula funds. SFY 2017 Section 5310 Formula funds were not originally included as the Department and the State Coordinating Council for Community Transportation in New Hampshire (SCC) were in the process of reevaluating the 2006 State Coordination Plan and developing a scope of work for a consultant to draft a revised plan that includes an assessment of the RCC's use of 5310 Formula funds and recommendations for their future use by the RCC's. There has been a delay in conducting the study so the Department is requesting funds for SFY 2017 to continue ongoing services for the remainder of the contract period. The Department has sub allocated available 5310 Formula funds to each RCC for SFY 2017 and separate contract amendments for each RCC will be submitted. This contract amendment is reflective of the allocation made available to the region CART represents and provides \$30,112 (80% Federal) for SFY 2017 activities included in the two-year agreement. The twenty percent (20%) required match to leverage the Federal funds will be provided by cash match through CART.

In the event that federal funds become unavailable, general funds will not be requested to support this program.

The amendment has been approved by the Attorney General as to form and execution and the Department has verified the necessary funds are available. Copies of the fully executed agreement are on file at the Secretary of State's Office and the Department of Administrative Services' Office, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

Your approval of this resolution is respectfully requested.

Sincerely,

A handwritten signature in black ink that reads "Victoria F. Sheehan". The signature is written in a cursive style with a large initial "V".

Victoria F. Sheehan
Commissioner

Attachments

AMENDMENT TO AGREEMENT

**GREATER DERRY-SALEM COOPERATIVE ALLIANCE
FOR REGIONAL TRANSPORTATION (CART)**

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation (NHDOT) and Greater Derry-Salem Cooperative Alliance for Regional Transportation (CART) on May 27, 2015, (Item #63) to be effective July 1, 2015 through June 30, 2017, and this agreement remains in effect;

WHEREAS, the Price Limitation in Section 1.8 of the P-37 form is \$192,864;

WHEREAS, Exhibit A, describes the Scope of Service;

WHEREAS, Exhibit B, Budget provides funding for the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula program (Section 5310 Formula) for Region 9, Greater Derry-Salem;

WHEREAS, NHDOT has available Federal funds for the FTA Section 5310 Formula program;

RESOLVED, that the agreement be amended as follows:

Section 1.8, "Price Limitation" of the P-37 form be amended to read \$222,976 (increase of \$30,112);

Exhibit A, Scope of Service, be amended to include the following under A.5

- Development of an online regional transportation service directory that will be part of the CART website.

Exhibit B, Budget, shall be amended to include an additional \$30,112 of FTA Section 5310 Formula funds for State Fiscal Year 2017 for a revised contract total of \$222,976.

All other provisions of the agreement shall remain in effect.

Amended Exhibit B, Budget appears below.

**EXHIBIT B
BUDGET - REVISED**

B.1. The Contract price, as defined in Section 1.8 of the General Provisions, is the Federal Transit Administration Section 5310 portion of the eligible project. Federal funds are granted as follows:

<u>Region 9 Greater Derry-Salem</u>	<u>SFY 2016</u>	<u>SFY 2017</u>
5310 Purchase of Service	\$81,376	\$81,376
5310 Formula	\$30,112	\$30,112
Total Federal Funds	\$111,488	\$111,488

Greater Derry-Salem Cooperative Alliance for Regional Transportation (CART)

By: MARK C. NELSON Date: 5 Apr 2016

Title: EXECUTIVE DIRECTOR

Signature: [Handwritten Signature]

County of ROCKINGHAM

On this the 5th day of April, 2016, before me, Beverly Christman, the undersigned officer, personally appeared MARK NELSON, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that (s)he has executed the same for the purposes therein contained. IN WITNESS WHEREOF I hereunto set my hand and official seal.

Beverly A. Christman
Notary Public/Justice of the Peace



NH Department of Transportation

By: Barnie C. Herbiny Date: 4/27/16

Title: Director

Signature: [Handwritten Signature]

Approved by Attorney General

By: DIANNE MARTIN Date: 5/3/16

Title: Asst Atty General

Signature: [Handwritten Signature]

Approved by Governor and Council

By: _____ Date: _____

EXHIBITS TO AMENDMENT

CERTIFICATE OF CORPORATE VOTE

CERTIFICATE OF INSURANCE



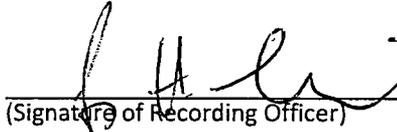
Chester • Derry • Hampstead • Londonderry • Salem

**Certificate of Vote Authorizing
CART Executive Director Mark C. Nelson to
Execute a Contract with NHDOT for FTA
Section 5310 Purchase of Service & Section 5310 Formula Funding**

I, George Sioras, the duly elected and acting Chairman of the Greater Derry-Salem Cooperative Alliance for Regional Transportation (CART), a regional public transportation agency established pursuant to the laws of the State of New Hampshire (RSA 239-A), do hereby certify that at a legally convened meeting of the CART Board of Directors held on April 5, 2016:

1. The CART Board authorized the Executive Director, Mark Nelson, to execute any documents which may be necessary to effectuate the FTA Section 5310 Purchase of Service Funds & Section 5310 Formula Funds contract(s) with the New Hampshire Department of Transportation (NHDOT);
2. This authorization has not been revoked, annulled or amended in any manner whatsoever, and remains in full force and effect as of the date hereof; and
3. The following person has been appointed to, and now occupies, the office indicated under item 1 above: Mark Nelson

IN WITNESS WHEREOF, I have hereunto set my hand as the Chairman of the Greater Derry-Salem Cooperative Alliance for Regional Transportation on this 5th day of April, 2016.


(Signature of Recording Officer)

STATE OF NEW HAMPSHIRE

County of Rockingham

On this 5th day of April, 2016, before me Elizabeth Robidoux the undersigned officer, personally appeared, George Sioras, who acknowledged him/herself to be the Chairman of CART, and that he/she, as such Chairman, being so authorized to do so, executed the foregoing instrument for the purpose therein contained.

In witness whereof, I have set my hand and official seal.

ELIZABETH A. ROBIDOUX, Notary Public
My Commission Expires September 18, 2018



Notary Public, ~~Justice of the Peace~~

My Commission Expires

(Official Seal)

CERTIFICATE OF COVERAGE

This certificate evidences the limits of liability in effect at the inception of the Coverage Agreement(s) (also known as the Member Agreement(s)) described below. This certificate is issued as a matter of information only and confers no rights on the certificate holder and does not amend, and, or alter the coverage afforded by the Member Agreement(s) except to the extent provided in the Additional Covered Party box or Loss Payee box below, if checked.

THIS IS TO CERTIFY THAT THE ENTITY NAMED BELOW HAS BEEN ISSUED THE MEMBER AGREEMENT(S) FOR THE AGREEMENT TERM(S) INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM, OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE COVERAGE AFFORDED BY THE MEMBER AGREEMENT(S) IS SUBJECT TO ALL THE EXCLUSIONS, EXTENSIONS, TERMS, AND CONDITIONS OF SUCH MEMBER AGREEMENT(S). AGGREGATE LIMITS MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Member: Greater Derry-Salem Cooperative Member Number: 392-010108 - 16		Company Affording Coverage (the "Company"): Property-Liability Trust, Inc. PO Box 2008, Concord, NH 03302-2008	
Coverage (Occurrence basis only):	Effective Date (mm/dd/yy)	Expiration Date (mm/dd/yy)	Limits (subject to applicable NH statutory limits)
<input checked="" type="checkbox"/> General Liability (Member Agreement Section III.A)	7/1/2015	6/30/2016	Each Occurrence \$ 5,000,000
			General Aggregate \$
			Personal & Adv Injury \$
			Med Exp (any one person) \$
			Products -Comp/Op Agg \$
Fire Damage (each fire) \$			
<input checked="" type="checkbox"/> Automobile Liability (Member Agreement Section III.A) <input type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos <input type="checkbox"/> Other _____	7/1/2015	6/30/2016	Each Occurrence \$ 5,000,000
			Bodily Injury (per person) \$
			Bodily Injury (per accident) \$
			Property Damage (per accident) \$
			Excess Liability
			Aggregate \$ N/A
<input checked="" type="checkbox"/> Property (All Risk including Theft) (Member Agreement Section I) Deductible: \$1,000	7/1/2015	6/30/2016	\$Per scheduled limits and Member Agreement
<input checked="" type="checkbox"/> Workers' Compensation (Coverage A) Employers' Liability (Coverage B)	7/1/2015	6/30/2016	Coverage A: Statutory
			Cov. B: Each Accident \$ 2,000,000
			Disease - Each Employee \$ 2,000,000
			Disease - Policy Limit \$ 2,000,000
Description: State of New Hampshire, Department of DOT is named as Additional Covered Party relative to the Grants between the State of NH and Greater Derry Salem Coop. Greater Derry Salem Coop has General, Professional and Vehicle Liability Coverage in the amount of \$5,000,000 each occurrence.			

CANCELLATION: If any of the above coverages under the Member Agreement are cancelled before the expiration date, the Company will endeavor to mail 30 days written notice to the Certificate Holder named below, but failure to mail such notice shall impose no obligation or liability of any kind upon the Company.

<input type="checkbox"/> Additional Covered Party	<input type="checkbox"/> Loss Payee, as his, her or its interests appear
Coverage for the Additional Covered Party is limited to "bodily injury" or "property damage" caused by, and only to the extent of, the sole negligence of the Member, and no protection is available for the negligence of others, including the Additional Covered Party and its directors, officers, employees, or agents. Available limits of coverage are shared between the Member and the Additional Covered Party.*	
*Terms in quotes are defined in the Member Agreement.	

Certificate Holder: State of New Hampshire Department of DOT 7 Hazen Drive PO Box 483 Concord NH 03302-0483	Company By: <u>Wendy W. Parker</u> Authorized Representative Date Issued: <u>3/31/2016</u>	Please direct inquiries to: Kim Brewster 603.230.3359
----------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------



63

Approved 5/27/15
Item 63

WILLIAM CASS, P.E.
ASSISTANT COMMISSIONER

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, NH 03301

Bureau of Rail & Transit
April 20, 2015

REQUESTED ACTION

Authorize the Department of Transportation to enter into an agreement with Greater Derry-Salem Cooperative Alliance for Regional Transportation (CART), (Vendor 163348), Londonderry, NH, for an amount not to exceed \$192,864 for coordinated transportation services for seniors and individuals with disabilities, for the period July 1, 2015 through June 30, 2017, effective upon approval by Governor and Council. 100% Federal Funds.

Funding for this agreement is available in the fiscal year 2016 and 2017 budget, contingent upon the availability and continued appropriation of funds, with the authority to adjust encumbrances in each of the state fiscal years through the Budget Office if needed and justified.

	<u>FY 2016</u>	<u>FY 2017</u>
04-96-96-964010-2916		
Public Transportation		
072-500575 Grants to Non-Profits-Federal	\$111,488	\$81,376

EXPLANATION

CART has been awarded funding from the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) program. CART is a recipient of both Section 5310 Purchase of Service program funds and Section 5310 Formula Funds to provide expanded transportation services in the Greater Derry-Salem Regional Coordinating Council service area. CART will act as the lead agency to purchase accessible demand response transportation services for seniors and individuals with disabilities in cooperation with the Region 9 Greater Derry-Salem Regional Coordinating Council.

The Department has been working closely with the State Coordinating Council for Community Transportation to develop regional coordination of human services transportation, through nine designated regions. In January 2015, the Department announced the availability of federal funds for a two year period for Section 5310 Purchase of Service funds and one year for Section 5310 Formula Funds to support coordinated transportation services for seniors and individuals with disabilities. The available funds were allocated by region, according to a formula based on regional populations of

residents over 65 and those between the ages of 5-64 with disabilities. Each individual Regional Coordinating Council was responsible for conducting its own project solicitation, evaluation, and prioritization and then submitting one regional application for eligible Section 5310 Purchase of Service and Section 5310 Formula Funds projects through an approved lead agency. As required by FTA, all projects are identified in a locally developed coordinated public transit-human services transportation plan.

The Greater Derry-Salem Regional Coordinating Council for Region 9 designated CART as the lead agency to apply for both Section 5310 Purchase of Service and Section 5310 Formula Funds and has submitted a regional list of eligible projects as detailed in the region's contract. The program requires a twenty percent (20%) match, which will be provided by local cash match.

In the event that federal funds become unavailable, general funds will not be requested to support this program.

The Agreement has been approved by the Attorney General as to form and execution and the Department will verify the necessary funds are available pending enactment of the fiscal year 2016 and 2017 budget. Copies of the fully executed agreement are on file at the Secretary of State's Office and the Department of Administrative Services' Office, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

Your approval of this resolution is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "William Cass".

William Cass, P.E.
Assistant Commissioner

Attachments