



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



44
Beant

Victoria F. Sheehan
Commissioner

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
May 5, 2016

REQUESTED ACTION

Authorize the Department of Transportation to enter into a **sole source** contract amendment with Contoocook Valley Transportation Company (CVTC), Vendor 167604, Peterborough, New Hampshire, to increase the contract amount by \$52,395 from \$52,395 to \$104,790 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 #59. 100% Federal Funds.

Funding is available as follows:

| | <u>FY 2017</u> |
|---|----------------|
| 04-96-96-964010-2916 | |
| Public Transportation | |
| 072-500575 Grants to Non-Profit-Federal | \$52,395 |

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 (RCC) 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 CVTC has been designated by the Region 5-6 Southwest Monadnock 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 the region's SFY 2017 activities.

CVTC is a recipient of Section 5310 Formula Funds to provide expanded transportation services in the Southwest Monadnock RCC service area. The Department entered into a two-year contract with CVTC for the period July 1, 2015 to June 30, 2017 and included SFY 2016 allocated 5310 Formula funds with authorization to expend within that time period. SFY 2017 Section 5310 allocated Formula funds were not originally included as the Department and the State Coordinating Council for Community

Transportation (SCC) had planned on updating the 2006 State Coordination Plan, which would have included reevaluating the RCCs' use of 5310 Formula funds beginning in SFY2017. However, there has been a delay in updating the plan, 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 CVTC represents and provides an additional \$52,395 (80% Federal) for SFY 2017 activities included in the two-year agreement. The twenty percent (20%) required match required to leverage the Federal funds for mobility management activities will be provided by cash match through CVTC.

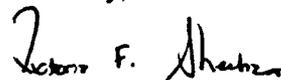
In the event that Federal funds become unavailable, general funds will not be requested to support this program.

All other provisions of the agreement shall remain in effect.

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

CONTOOCCOOK VALLEY TRANSPORTATION COMPANY (CVTC)

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation and Contoocook Valley Transportation Company (CVTC) on May 27, 2015, (Item #59) 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 \$52,395;

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 5-6 Southwest/Monadnock Region;

WHEREAS, the Department of Transportation 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 \$104,790 (increase of \$52,395);

Exhibit B, Budget, shall be revised to include an additional \$52,395 of FTA Section 5310 Formula funds for State Fiscal Year 2017 for a revised contract total of \$104,790.

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>Section 5310 Formula Funds</u> | <u>FY 2016</u> | <u>FY2017</u> |
|-----------------------------------|-----------------|-----------------|
| Mobility Management | \$44,026 | \$52,395 |
| Operating | \$ 8,369 | |
| TOTAL | \$52,395 | \$52,395 |

Contoocook Valley Transportation Company

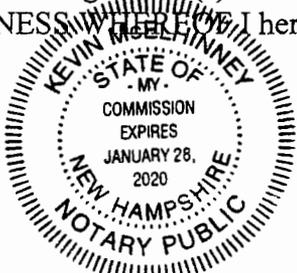
By: ELLEN A. AVERY Date: APRIL 18, 2016

Title: EXECUTIVE DIRECTOR

Signature: [Handwritten Signature]

County of HILLSBORO

On this the 18 day of APRIL, 2016, before me, KEVIN MCELHINNEY, the undersigned officer, personally appeared ELLEN AVERY, 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.



[Handwritten Signature]
Notary Public/Justice of the Peace

NH Department of Transportation

By: [Handwritten Signature] Date: 5/2/16

Title: Director

Signature: [Handwritten Signature]

Approved by Attorney General

By: [Handwritten Signature] Date: 5/2/16

Title: Assistant Attorney General

Signature: Matthew F. Broadhead

Approved by Governor and Council

By: _____ Date: _____

EXHIBITS TO AMENDMENT

CERTIFICATE OF GOOD STANDING

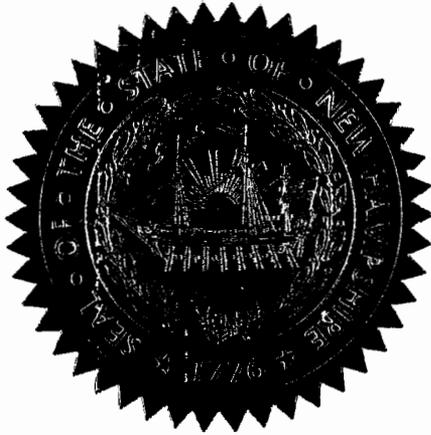
CERTIFICATE OF CORPORATE VOTE

CERTIFICATE OF INSURANCE

State of New Hampshire Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that Contoocook Valley Transportation Company is a New Hampshire nonprofit corporation formed September 3, 2008. I further certify that it is in good standing as far as this office is concerned, having filed the return(s) and paid the fees required by law.



In TESTIMONY WHEREOF, I hereto
set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 22nd day of April A.D. 2016

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner
Secretary of State



Contoocook Valley Transportation Co.

Creating, coordinating and delivering
transportation solutions
for the Monadnock Region

CERTIFICATE OF CORPORATE VOTE

I, Matthew Waitkins, Secretary of the Contoocook Valley Transportation Company, do hereby certify that:

- 1. The Directors of the Corporation unanimously voted on April 1, 2016, pursuant to the bylaws of the Corporation to authorize Ellen Avery, Executive Director of the Corporation, to execute all contracts on behalf of the Corporation.
2. Ellen Avery, Executive Director of this Corporation, is hereby authorized on behalf of the Corporation to enter into said contract with the State of New Hampshire, acting through its Department of Transportation and to execute any and all documents, agreements and other instruments, and any amendments, revisions, or modifications thereto, as he/she may deem necessary, desirable or appropriate.
3. The forgoing resolutions have not been amended or revoked, and remain in full force and effect as of April 18, 2016 (date contract signed).

A true copy of the record,

ATTEST:

Matthew Waitkins (signature)

Matthew Waitkins, Secretary
Contoocook Valley Transportation Company

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

On April 18, 2016, before the undersigned officer personally appeared the person identified in the foregoing certificate, known to me to be the Secretary of the corporation identified in the forgoing certificate, and acknowledged that she executed the foregoing certificate.

In witness whereof I hereunto set my hand and official seal.

(Signature)
Notary Public/Justice of the Peace

4-18-16
Date





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/21/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|---|--|--|
| PRODUCER Bellows-Nichols Agency Inc. 10 Main Street P.O. Box 299 Peterborough, NH 03458 | CONTACT NAME: PHONE (A/C, No., Ext): (603) 924-7155 FAX (A/C, No.): (603) 924-9173 E-MAIL ADDRESS: reception@bellownichols.com | |
| | INSURER(S) AFFORDING COVERAGE NAIC # | |
| INSURED Contoocook Valley Transportation Company 375 Jaffrey Road, Ste 3 Peterborough, NH 03458 | INSURER A : FirstComp | |
| | INSURER B : | |
| | INSURER C : | |
| | INSURER D : | |
| | INSURER E : | |

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD 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 INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|---------------|-------------------------|-------------------------|--|
| | COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | | | | EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$ |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| | UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y | N/A | WC0103678-07 | 01/12/2016 | 01/12/2017 | PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Proof of Workers Compensation coverage for grant purposes

| | |
|--|---|
| CERTIFICATE HOLDER NH Department of Transportation Po Box 483 Concord, NH 03302-0483 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE <i>Cathy Casale</i> |



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

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Bark

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
 May 5, 2015

5/27/15 item 59

REQUESTED ACTION

Authorize the Department of Transportation to enter into an agreement with Contoocook Valley Transportation Company (CVTC), (Vendor 167604), Peterborough, NH, for an amount not to exceed \$52,395 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 | \$50,000 | \$2,395 |

EXPLANATION

CVTC has been awarded funding from the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) program. CVTC is a recipient of Section 5310 Formula Funds to provide expanded transportation services in the Monadnock Region Coordinating Council service area. CVTC will act as the lead agency to provide mobility management activities including the management of an accessible volunteer driver transportation program that includes mileage reimbursement, in the thirteen towns of the Eastern Monadnock Region to include Antrim, Bennington, Dublin, Frankestown, Greenfield, Greenville, Hancock, Jaffrey, New Ipswich, Peterborough, Rindge, Sharon and Temple, in cooperation with the Region 5/6 Monadnock 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

one year period, with authorization to expend within a two year time frame, 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 5310 Formula Fund projects through an approved lead agency. As is required by FTA, all projects are identified in a locally developed coordinated public transit – human services transportation plan.

The Monadnock Regional Coordinating Council for Region 5/6 designated CVTC as the lead agency to apply for 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 for mobility management activities, which will be provided by cash match, and fifty percent (50%) match for operating, which will be provided by eligible in-kind 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". The signature is fluid and cursive, written in a professional style.

William Cass, P.E.
Assistant Commissioner

Attachments