

GOVERNOR AND EXECUTIVE COUNCIL AGENDA
State House, Concord, New Hampshire
January 27, 2016, 10:00 a.m.

CONSENT CALENDAR AGENDA

#1 **MOP 150, I, B (1): Expenditure Approvals**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#A. Authorize the Division of Forests and Lands to allow Kyle Lombard and Jennifer Weimer to travel over 300 miles one way in a state vehicle to attend the *Northeastern Forest Pest Council* annual meeting in Kingston, Ontario, Canada from March 7-11, 2016. **100% Federal Funds.**

INSURANCE DEPARTMENT

#B. Authorize to enter Martha Mobley into an Educational Tuition Agreement with College for America at Southern NH University, to participate in 24 Completed Projects for the period of February 1, 2016 through July 31, 2016, and to pay said costs not to exceed \$1,250. **100% Other (Insurance Department Administrative Assessment).**

INSURANCE DEPARTMENT

#C. Authorize to enter Danielle Kronk Barrick into an Educational Tuition Agreement with The University of NH, Peter T. Paul College of Business and Economics, to participate in the course entitled Strategic Management: Decision Making, during the period of March 24, 2016 through May 26, 2016, and to pay said costs not to exceed \$2,464. **Insurance Department Administrative Assessment.**

INSURANCE DEPARTMENT

#D. Authorize to enter Mary Verville into an Educational Tuition Agreement with Southern NH University, to participate in two courses entitled Leading in an Organization for the period of March 7, 2016 through May 15, 2016 and Ethics, Corporate Culture and Social Responsibility, during the period of August 8, 2016 through October 16, 2016, and to pay costs not to exceed \$3,762. **Agency Income.**

STATE TREASURY

#E. Authorize to issue a warrant from funds not otherwise appropriated in the amount of \$198,312 and the State Treasurer to issue checks in the amount of \$198,312.11 to the rightful owners of abandoned or unclaimed funds.

#2 **MOP 150, I, B (2): Approval of Acceptances**

THE ADJUTANT GENERAL'S DEPARTMENT

#A. Authorize to accept donations of computer services, computer supplies, monument and engraving, coffee, equipment repair, tree & shrub spraying, signage updates, a tiller/cultivator and a laminator in the amount of \$5,887.77 for the NH State Veterans Cemetery to be used for the operation, maintenance, and improvement of the cemetery.

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#B. Authorize the Animal Population Control Program to accept and expend funds as a donation from The Noah Foundation in the total amount of \$20,000. **100% Other Funds – APCP.**

#3 **MOP 150, I, B (3): Reports and Findings**

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

#A. Authorize to accept and place on file the Board of Medicine's annual report for FY 15.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#B. Authorize to accept and place on file the reports that for calendar year 2015, two existing three-year mining permits remain in effect and in good standing.

DEPARTMENT OF ENVIRONMENTAL SERVICES

#C. Authorize to accept and place on file the 2015 annual report.

#4 **MOP 150, I, B (4): Nominations, Confirmations and Appointments**

THE ADJUTANT GENERAL'S DEPARTMENT

#A. Authorize the nomination of Captain Darrel W. Davis, Kennebunk, ME, for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF JUSTICE

#B. Authorize to appoint Danielle E. Horgan to a newly-established position where she will remain as an Assistant Attorney General at a salary of \$61,000. Effective upon G&C approval.

DEPARTMENT OF JUSTICE

#C. Authorize to appoint Karin M. Eckel to a position where she will remain as an Assistant Attorney General at a salary of \$74,250. Effective February 5, 2016 through January 22, 2021.

DEPARTMENT OF JUSTICE

#D. Authorize to appoint Jason A. Casey to a position where he will remain as an Assistant Attorney General at a salary of \$64,750. Effective February 5, 2016 through March 29, 2019.

REGULAR AGENDA

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Commissioner

#5 Authorize to transfer general funds in the amount of \$2,859,238, increase federal funds in the amount of \$40,141, with no net impact on Other revenues. Effective upon G&C approval through June 30, 2016. **Contingent upon Fiscal Committee approval on January 22, 2016.**

Office of Medicaid Business and Policy

#6 Authorize the Bureau of Drug and Alcohol Services to enter into a memorandum of agreement with the NH Department of Safety, Division of Fire Standards and Training, Emergency Medical Services, Concord, NH, to provide training, in an amount not to exceed \$34,419.50. Effective upon G&C approval through December 31, 2016. **100% Federal Funds.**

#7 Authorize to increase the salary of position #30278, Administrator IV, by thirty percent (30%).

#7A Authorize to **retroactively** enter into a **sole source** agreement with Manatt, Phelps and Phillips LLP, New York, NY, to provide professional services to assist in the implementation activities required for the NH Building Capacity for Transformation Section 1115(a) Medicaid waiver demonstration (Building Capacity Waiver) approved on January 5, 2016, in an amount not to exceed \$1,200,000. Effective January 15, 2016 through July 31, 2016. **This contract will initially be funded with 50% Federal, and 50% General Funds. Funding under the Building Capacity Waiver will later reimburse the general funds used for this contract.**

#7B Authorize to amend existing individuals agreements with the state's two managed care health plans, Granite State Health Plan, d/b/a New Hampshire Healthy Families, Bedford, NH, and Boston Medical Center HealthNet Plan, d/b/a Well Sense Health Plan, Boston, MA (originally approved by G&C on 5-9-12, item #54A), by amending services, and associated capitation rates, therefore, decreasing the price by \$5,041,533 from \$713,939,884 to \$708,898,351 for a cumulative contract value of \$1,611,898,351 for all Medicaid Care Management contracts. Effective February 1, 2016 through June 30, 2017. **100% Federal Funds.**

Bureau of Facilities and Assets Management

#8 Authorize to enter into a **retroactive sole source** amendment to the existing lease with Cablecar Realty LLC, Nashua, NH (originally approved by G&C on 6-22-05, item #317), for continued operation of the Laconia District Office, by increasing the price in the amount of \$286,380 to \$2,809,078.20 from \$2,522,698.20 and by extending the term for up to twelve months from December 31, 2015 to December 31, 2016 effective January 1, 2016. **60% General, 40% Federal Funds.**

Bureau of Elderly & Adult Services

#9 Authorize to enter into a **retroactive sole source** amendment with Community Action Program Belknap and Merrimack Counties Inc., Concord, NH (originally approved by G&C on 12-20-13, item #62), to add to their ServiceLink contract the provision of the statewide Volunteer Risk Program Management services, by increasing the amount by \$50,000 from \$941,757 to an amount not to exceed \$991,757. Effective October 1, 2015 through the original end date of September 30, 2016. **100% Federal Funds.**

Division of Client Services

#10 Authorize to amend an existing **sole source** contract with Deloitte Consulting LLP, Harrisburg, PA (originally approved by G&C on 10-3-12, item #36), by increasing the price by \$16,494,946 from \$54,592,543.33 to an amount not to exceed \$71,087,489.33 and to extend the end date from September 30, 2016 to September 30, 2018, effective February 1, 2016, the date the Centers of Medicine and Medicaid approval or the date of G&C approval, whichever is later. **90% Federal, 10% General Funds.**

Division of Public Health Services

#11 Authorize to amend a contract with the Foundation for Healthy Communities, Concord, NH (originally approved by G&C on 9-3-14, item #20), to continue assisting Critical Access Hospitals to improve quality of care for Medicare beneficiaries, by increasing the price by \$23,601 from \$539,476 to an amount not to exceed \$563,077. Effective upon G&C approval through August 31, 2017. **100% Federal Funds.**

Division for Children, Youth and Families

#12 Authorize to **retroactively** pay an annual membership fee to the Association of Administrators of the Interstate Compact on Adoption and Medical Assistance, Washington, DC, in the amount of \$4,000. Effective January 1, 2016 through December 31, 2016. **50% Federal, 50% General Funds.**

#13 Authorize an amendment to exercise the renewal option in the existing agreement with Paula Carrier, Somersworth, NH (originally approved by G&C on 3-13-15, item #8), for the provision of consultation, recruitment, and parent leadership services, by increasing the price by \$35,000 from \$49,583.33 to an amount not to exceed \$84,583.33, and by extending the completion date from June 30, 2016 to June 30, 2017. **100% Federal Funds.**

#14 Authorize to amend an agreement to exercise the renewal option in the contract with Rev. Grace Rosado, Manchester, NH, (originally approved by G&C on 7-10-13, tabled item #82), for the provision of spiritual services to the detained and adjudicated youth at the John H. Sununu Youth Services Center, by increasing the price by \$32,500 from \$97,500 in an amount not to exceed \$130,000 and by extending the end date from June 30, 2016 to June 30, 2017. **100% Federal Funds.**

#15 Authorize to enter into a **retroactive sole source** agreement with Granite State Federation of Families for Children's Mental Health, Manchester, NH, to provide services that expand NH youth leadership in the behavior health system, in an amount not to exceed \$134,919. Effective October 1, 2015 through September 30, 2016. **100% Federal Funds.**

New Hampshire Hospital

#16 Authorize to enter into a **sole source retroactive** agreement with Achievement Therapy Services LLC, to provide physical therapy services to clients admitted to NH Hospital, in an amount not to exceed \$176,800. Effective July 1, 2015 through June 30, 2017. **28% Federal, 32% General, 40% Other Funds.**

DEPARTMENT OF TRANSPORTATION

#17 Authorize the Bureau of Right of Way's request to accept resignations for the Highway Layout Commission members wishing to resign as well as a report of the members who have passed away in order to process new appointees.

#18 Authorize the Bureau of Right of Way to pay property owners \$147,677.49 as documented in the Contemplated Awards List for the amounts greater than \$5,000 for the period extending from November 9, 2015 through December 23, 2015.

#19 Authorize the Bureau of Right of Way to release a condition from a deed restriction that was placed on a parcel of land formerly owned by the Department of Transportation and now owned by Seacoast Crossroads Realty Company LLC located in the Town of Hampton, directly to Seacoast Crossroads Realty Company LLC for \$71,100 which includes a \$1,100 Administrative Fee. Originally purchased with 100% Turnpike Funds.

#20 Authorize the Bureau of Right of Way to pay property owners \$70,098 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from December 23, 2015 through January 6, 2016. Effective upon G&C approval.

#21 Authorize the Bureau of Right of Way to pay property owners \$8,050 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from December 23, 2015 through January 6, 2016.

#22 Authorize the Bureau of Bridge Design to enter into an Interstate Bridge Agreement with the State of Vermont, represented by its Agency of Transportation (VTrans) to allow the NHDOT to bill VTrans for costs associated with the rehabilitation of the Cornish/Windsor Covered Bridge carrying Cornish Toll Road over the Connecticut River between Cornish, NH and Windsor, VT. Effective upon G&C approval and continuing through engineering design, construction, inspection, and final acceptance of the completed project, in accordance with the Department's 10-year Transportation Improvement Plan. **67% NH, 33% VT Funds.**

#23 Authorize the Bureau of Highway Design to amend an agreement with McFarland-Johnson Inc., Concord, NH and Binghamton, NY (originally approved by G&C on 7-10-13, item #115), to prepare the second phase of the preliminary engineering design for the US 3 and NH 25 corridor in Meredith, by **retroactively** extending the completion date from September 25, 2015 to September 1, 2016. No Additional Funding.

#24 Authorize the Bureau of Highway Maintenance, Well Section, to enter into a contract with Skillings & Sons Inc., Amherst, NH, for a 6-inch drilled well and pump on the property of Dana Latour, Pelham, NH, in the amount of \$20,700. Effective upon G&C approval through June 24, 2016. **100% Highway Funds.**

#25 Authorize the Bureau of Turnpikes to enter into a contract with Citizens Bank, National Association, Manchester, NH, for Toll Revenue Processing and Armored Car Services for the Bureau of Turnpikes, in the amount of \$1,714,044.35. Effective upon G&C approval or February 1, 2016, whichever is sooner, and end January 31, 2019, with an option to renew for up to two additional two year periods up to but not beyond January 31, 2023. **100% Turnpike Funds.**

#26 Authorize the Bureau of Construction to enter into a contract with Hi-Way Safety Systems Inc., Rockland, MA, for installation of warning and intersection signs and upgrading existing warning signs located on horizontal curves on two-lane state maintained roadways throughout District II to improve safety, on the basis of a low bid of \$634,947.04. (2)Further authorize a contingency in the amount of \$44,446.29 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 14, 2016. **100% Federal Funds.**

#27 Authorize the Bureau of Transportation Systems Management and Operations to enter into an agreement with the firm of Vanasse Hangen Brustlin Inc., Bedford, NH, for on-call engineering and support services for Intelligent Transportation Systems initiatives statewide, for an amount not to exceed \$1,000,000. Effective upon G&C approval through January 31, 2019.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#28 Authorize to award a grant to the City of Concord, NH, in the amount of \$200,000 to support Merrimack Valley Day Care Service's building improvements at its 19 North Fruit Street, Concord, NH facility. Effective January 27, 2016 through December 31, 2017. **100% Federal Funds.**

#29 Authorize to award a grant to the City of Lebanon, NH, in the amount of \$425,000 on behalf of the Lebanon Housing Authority, to fund energy improvements to the Rogers House. Effective January 27, 2016 through December 31, 2017. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

#30 Authorize to enter into a memorandum of agreement with the NH Department of Resources and Economic Development, Concord, NH, the NH Department of Transportation, Concord, NH, the NH Fish and Game Department, Concord, NH, and the NH Department of Environmental Services, Concord, NH, to provide \$27,500 for the purposes of maintaining and improving the existing GRANIT web site, archiving and distributing agency data through the GRANITE database and providing technical support services for the development of GIS data and applications. Effective January 27, 2016 through June 30, 2016. (2)Further authorize to enter into a **sole source** contract amendment with the University of NH, Earth Systems Research Center, Durham, NH (originally approved by G&C on 6-24-15, item #95), for the GRANIT project, by increasing the amount by \$27,500 from \$130,000 to \$157,500. Effective upon G&C approval through June 30, 2017.

#31 Authorize to accept and expend funds in the amount of \$2,500 from the NH Department of Environmental Services for the purposes of maintaining and improving the existing GRANIT web site, archiving and distributing agency data through the GRANIT database and providing technical support services for the development of GIS data and applications. Effective January 27, 2016 through June 30, 2016.

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

#32 Authorize to increase the fleet by one vehicle to be assigned to the Board of Pharmacy for inspections.

DEPARTMENT OF CULTURAL RESOURCES

#33 Authorize to make a **retroactive** unencumbered payment in the amount of \$11,055.03 to Grappone Collision Center, Bow, NH, for the repair of a 2015 Ford Transit Cargo Van. Effective upon G&C approval. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

#34 Authorize a 100% General Fund appropriation for an additional \$1,045,837 for medical and dental expenses to cover projected shortfalls for the remainder of State Fiscal Year 2016. Effective upon G&C approval. **Contingent upon Fiscal Committee approval on January 22, 2016.**

#35 Authorize to hold a two-day on-site educational workshop "*Seeking Safety*", in the amount not to exceed \$25,000 for up to 18 NHDOC professional staff, at no charge to the participants, on February 4th & 5th, 2016 at the Fox Chapel, Concord, NH. (2)Further authorize to enter into a **sole source** contract with Treatment Innovations LLC, Newton Centre, MA, for *Seeking Safety* training and professional services, in the amount of \$21,466. Effective upon G&C approval. **100% Agency Income.**

#36 Authorize to enter into a contract with NaphCare Inc., Birmingham, AL, for the provision of Electronic Health Record System Services, in the amount of \$1,475,000. Effective upon G&C approval through June 30, 2019. **28.8% Capital (General), 59% DoIT (Agency class 027 General Funds), 12.2% General Funds.**

PUBLIC UTILITIES COMMISSION

#37 Authorize to renew membership and participation in the National Regulatory Research Institute, for the period **retroactive** to January 1, 2016 through June 30, 2016, for an amount of \$8,625. **100% Other Funds (Utilities Assessments).**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#38 Authorize the Division of Economic Development's Office of International Commerce to enter into a **retroactive** contract amendment with Firebrand International LLC, Portsmouth, NH (originally approved by G&C on 9-16-15, item #51, in the amount of \$48,000), to act as Consortium Manager for the NH Aerospace and Defense Export Consortium, in compliance with a grant awarded by the US Department of Defense through the Office of Economic Adjustment, by extending the completion date to May 31, 2016 from December 31, 2015. No Additional Funding. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#39 Authorize to **retroactively** pay the fiscal year 2016 membership dues to the Northeast Environmental Enforcement Project, Delaware, OH, in the amount of \$4,000. Effective July 1, 2015 through June 30, 2016. Effective upon G&C approval. **38% Federal, 62% Other Funds.**

#40 Authorize to award an Aquatic Resource Mitigation Fund grant to the NH Rivers Council, Concord, NH, in the amount of \$345,000 to remove the Wathen Road culvert and daylight McQuesten Brook and replace the Eastman Avenue culvert for restoration and fish passage improvements. Effective upon G&C approval through December 31, 2021. **100% Aquatic Resource Mitigation Funds.**

#41 Authorize to enter into a contract with Arthur Pyburn & Sons Inc., Lynnfield, MA, in order to conduct leak detection surveys at thirty-nine NH community water systems, in the amount of \$117,600. Effective upon G&C approval through December 31, 2016. **100% Federal Funds.**

DEPARTMENT OF EDUCATION

#42 Authorize the Division of Career Technology and Adult Learning to **retroactively** grant funds to the Hillsborough County Department of Corrections, Manchester, NH, in an amount not to exceed \$31,466.07 to provide instruction in the areas of upper level adult basic education and high school equivalency test preparation at the Hillsborough County Department of Corrections. Effective July 1, 2015 through June 30, 2016. **35% Federal, 65% General Funds.**

#43 Authorize the Bureau of Special Education to enter into a contract with Nancy A. Wells, North Hampton, NH, to provide technical assistance, support and training for school nurses, in an amount not to exceed \$110,000. Effective upon G&C approval through June 30, 2017. **100% Federal Funds.**

DEPARTMENT OF SAFETY

#44 Authorize a salary increase from letter grade FF, step 5, to letter grade GG, step 5, for William Joseph, Deputy Director of Motor Vehicles, in the amount of \$6,878.56 from the current salary of \$86,351.20 to a new annual salary of \$93,229.76.

#45 Authorize the Division of Homeland Security and Emergency Management to **retroactively** amend a grant agreement with the Town of Marlow (originally approved by G&C on 9-3-14, item #117), by extending the end date only from January 9, 2016 to July 9, 2016. No Additional Funding. **100% Federal Funds.**

#46 Authorize the Division of State Police to accept and expend \$5,854 of pass-through funds from the NH Department of Safety, Division of Homeland Security and Emergency management for the purchase of communications equipment. Effective upon G&C approval through September 2016. **100% Agency Income.**

DEPARTMENT OF JUSTICE

#47 Authorize to accept and expend a sum not to exceed \$1,000,000 from funds not otherwise appropriated for the purpose of covering projected shortfalls in the general litigation expenses incurred in the defense of the State and the prosecution of criminal law effective with the approvals of the Fiscal Committee and the G&C through June 30, 2016. **100% General Funds. Contingent upon Fiscal Committee approval on January 22, 2016.**

#48 Authorize to enter into a **sole source** contract with Dr. Kristin Roman, Staten Island, NY, as a substitute medical examiner, for a total not to exceed \$20,000 to conduct autopsies as needed in the absence of the Chief Medical Examiner and the Deputy Chief Medical Examiner. Effective upon G&C approval through March 31, 2016. **100% General Funds.**

#49 Authorize to enter into a **sole source** contract with GENOA Group LLC, Littleton, CO, to provide for upgraded software and five years of maintenance support for the administration of compensation for victims of violent crime program, in an amount not to exceed \$160,000. Effective upon G&C approval through April 30, 2021. **100% Federal Funds.**

#50 Authorize to **retroactively** pay annual dues to the National Association of Medicaid Fraud Control Units in the amount of \$5,898 for the Medicaid Fraud Annual Dues for the period of July 1, 2015 through June 30, 2016. **75% Federal, 25% General Funds.**

#51 Authorize salary increases for attorneys in the Department of Justice, effective for the pay period beginning February 5, 2016 to be paid on March 4, 2016 upon G&C approval.

#52 Authorize to accept and expend a \$1,000 stipend from the Massachusetts College of Pharmacy and Health Sciences, Boston, MA, for a student interning in the Office of the Chief Medical Examiner. Effective upon G&C approval through June 30, 2016. **100% Agency Income.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

#53 Authorize to accept and place on file, a report containing a list of Executive Branch classified employees that have received retroactive payments relating to prior fiscal year payroll events for the period of October 1, 2015 through December 31, 2015.

#54 Authorize the accept and place on file, a report containing a list of vendors that agencies have contracted with for the period of October 1, 2015 through December 31, 2015.

#55 Authorize the Division of Personnel's request for waiver of classification decisions.

#56 Authorize the Bureau of Court Facilities to enter into an amendment with the US Postal Service, Denver, CO (originally approved by G&C on 11-19-08, item #42), to allow for an increase to the square footage to the leased premises which provides courtroom and office space for the 2nd circuit – District Division – Littleton located on the 2nd floor of the US Post Office, Littleton, NH, by increasing the amount by \$10,148.76 from \$164,087.05 to \$174,235.81. Effective February 1, 2016 through June 30, 2017. **100% Transfer Funds (transfer from AOC, Rent from Other Agencies).**

#57 Authorize the Division of Public Works Design and Construction to enter into an agreement with SMRT Inc., Portland, ME, for Professional Services for the Merrimack County Superior Courthouse, Concord, NH, for a total price not to exceed \$1,084,000. Effective upon G&C approval through December 1, 2018. **100% Capital – Funds.**

TABLED ITEM

PUBLIC UTILITIES COMMISSION *(Tabled at the 1-13-16 G&C Meeting)*

#39 **TABLED** - The Governor and Council on motion of Councilor Kenney, seconded by Councilor Sununu, voted to **table** the request to award grant funds in the amount of \$450,000, to the City of Portsmouth to install, own and operate two solar photovoltaic systems – the first of 265 kilowatts at Portsmouth High School and the second of 330 kilowatts at the City’s Madbury Water Treatment Plant. Effective upon G&C approval through December 31, 2016. **100% Renewable Energy Fund, a non-lapsing special fund continually appropriated to the Commission.**