



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

APR 14 2020 AM 8:16 DAS



Robert R. Scott, Commissioner

March 31, 2020

His Excellency, Governor Christopher T. Sununu
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Authorize the Department of Environmental Services (DES) to amend a grant agreement (PO#9005518) with the Strafford Regional Planning Commission (VC #155570), by extending the completion date to August 30, 2020 from May 31, 2020 to complete a project to better protect drinking water from contamination. No additional funding is involved in this time extension. The grant agreement was originally approved by Governor and Council on April 19, 2019 as Item #93. 100% Drinking Water State Revolving Fund Loan Management Fee Funds.

EXPLANATION

This amendment to the grant agreement is being requested in order to provide the Strafford Regional Planning Commission additional time in which to complete the agreed upon scope of services. The Commission is working to develop key elements of a long-term source water protection plan. Unfortunately, due to unforeseen circumstances the need to postpone required public meetings associated with completing the remaining project tasks occurred due to precautionary measures as a result of the continued spread of the COVID-19 (coronavirus). The extension will allow the Commission to complete the tasks once the public meetings will be allowed to resume.

The Department of Environmental Services issued a request for proposals for 2019 Local Source Water Protection Grants. These grants are funded by set-asides under the Drinking Water State Revolving Loan Fund. Twenty proposals were received. The proposals were evaluated and ranked based on criteria included in the request for proposals. Based on the available federal funding and eligibility criteria, the Department determined that it could offer grants to nine source protection planning projects and three source security projects, including this project with the Strafford Regional Planning Commission. To date, \$3,400 of the original grant award of \$20,000 has been spent.

All other conditions of the original agreement will remain in full effect. This agreement has been approved as to form, substance, and execution by the Office of the Attorney General. In the event that Federal funds become no longer available, General funds will not be requested to support this program.

We respectfully request your approval of this item.


Robert R. Scott, Commissioner

**Grant Agreement with the Strafford Regional Planning Commission
Local Source Water Protection Grant
Amendment No. 1**

This Agreement (hereinafter referred to as the "Amendment") dated this 16 day of March, 2020, is by and between the State of New Hampshire, acting by and through its Department of Environmental Services (hereinafter referred to as the "State") and the Strafford Regional Planning Commission, acting by and through its Executive Director, Ms. Jennifer Czysz (hereinafter referred to as the "Grantee").

WHEREAS, pursuant to an Agreement (hereinafter referred to as the "Agreement") approved by the Governor and Council on April 8, 2020, the Grantee agreed to perform certain services upon the terms and conditions specified in the Agreement and in consideration of payment by the State of certain sums as specified therein; and

WHEREAS, the Grantee and the State have agreed to amend the Agreement in certain respects;

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Agreement and set forth herein, the parties hereto do hereby agree as follows:

1. Amendment and Modification of Agreement: The Agreement is hereby amended as follows:

(A) The Completion Date as set forth in sub-paragraph 1.6 of the Agreement shall be changed from May 31, 2020 to August 30, 2020.

2. Effective Date of Amendment: This Amendment shall take effect upon the date of approval of this Amendment by the Governor and Executive Council of the State of New Hampshire.

3. Continuance of Agreement: Except as specifically amended and modified by the terms and conditions of this Amendment, the Agreement, and the obligations of the parties thereunder, shall remain in full force and effect in accordance with the terms and conditions set forth therein.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

STRAFFORD REGIONAL PLANNING COMMISSION

By: [Signature]
Jennifer Czysz, Executive Director, Strafford Regional Planning Commission

STATE OF NEW HAMPSHIRE
COUNTY OF Strafford

On this the 16 day of March, 2020, before the undersigned officer, personally appeared Jennifer Czysz who acknowledged himself to be the person who executed the foregoing instrument for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

ELAINE W. CRAIGIE, Notary Public
My Commission Expires January 10, 2023

Elaine W Craigie
Notary Public/Justice of the Peace

My Commission Expires:

THE STATE OF NEW HAMPSHIRE
Department of Environmental Services

By: [Signature]
Robert R. Scott, Commissioner

Approved by Attorney General this 3rd day of April, 2020, as to form, substance and execution.

OFFICE OF ATTORNEY GENERAL

By: [Signature]
, Assistant Attorney General

CERTIFICATE OF VOTE

I, Victoria Parmele, Chairperson of the Strafford Regional Planning Commission, do hereby certify that:

- 1) I am the duly elected Chairperson;
- 2) At the meeting held on September 20, 2019, the Strafford Regional Planning Commission voted to authorize the Executive Director, and in her absence the acting Executive Director, to sign & execute any contracts for SRPC;
- 3) 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
- 4) The following person has been appointed to and now occupies the office indicated in (2) above: Executive Director Jennifer Czysz

IN WITNESS WHEREOF, I have hereunto set my hand as the Chairperson of the
Strafford Regional Planning Commission,

this 16th day of March, 2020.



Victoria Parmele, Chairperson

STATE OF NEW HAMPSHIRE
County of Strafford

On this the 16th day of March, 2020, before me

Elaine W Craigie the undersigned officer, personally appeared Victoria Parmele, who acknowledged herself to be the Chairperson of the Strafford Regional Planning Commission being authorized so to do, executed the foregoing instrument for the purpose therein contained.

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

ELAINE W. CRAIGIE, Notary Public
My Commission Expires January 10, 2023

Elaine W Craigie
Notary Public

Commission Expiration Date:

(Seal)



CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex³) is organized under the New Hampshire Revised Statutes Annotated, Chapter 5-B, Pooled Risk Management Programs. In accordance with those statutes, its Trust Agreement and bylaws, Primex³ is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex³ is entitled to the categories of coverage set forth below. In addition, Primex³ may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex³, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex³ Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member. General Liability coverage is limited to Coverage A (Personal Injury Liability) and Coverage B (Property Damage Liability) only. Coverage's C (Public Officials Errors and Omissions), D (Unfair Employment Practices), E (Employee Benefit Liability) and F (Educator's Legal Liability Claims-Made Coverage) are excluded from this provision of coverage.

The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provided may, however, be revised at any time by the actions of Primex³. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the coverage categories listed below.

| | | |
|---|------------------------------|--|
| Participating Member: Strafford Regional Planning Commission 150 Wakefield Street, Suite 12 Rochester, NH 03867 | Member Number: 562 | Company Affording Coverage: NH Public Risk Management Exchange - Primex ³ Bow Brook Place 46 Donovan Street Concord, NH 03301-2624 |
|---|------------------------------|--|

| Type of Coverage | Effective Date (mm/dd/yyyy) | Expiration Date (mm/dd/yyyy) | Limits - NH Statutory Limits May Apply | |
|--|--------------------------------|---------------------------------|---|--------------|
| <input checked="" type="checkbox"/> General Liability (Occurrence Form) Professional Liability (describe) <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence | 7/1/2019 | 7/1/2020 | Each Occurrence | \$ 1,000,000 |
| | | | General Aggregate | \$ 2,000,000 |
| | | | Fire Damage (Any one fire) | |
| | | | Med Exp (Any one person) | |
| <input type="checkbox"/> Automobile Liability Deductible Comp and Coll: <input type="checkbox"/> Any auto | | | Combined Single Limit (Each Accident) | |
| <input type="checkbox"/> Workers' Compensation & Employers' Liability | | | Statutory | |
| | | | Each Accident | |
| | | | Disease – Each Employee | |
| | | | Disease – Policy Limit | |
| <input type="checkbox"/> Property (Special Risk Includes Fire and Theft) | | | Blanket Limit, Replacement Cost (unless otherwise stated) | |

Description: Grant. The certificate holder is named as Additional Covered Party, but only to the extent liability is based solely on the negligence or wrongful acts of the member, its employees, agents, officials or volunteers. This coverage does not extend to others. Any liability resulting from the negligence or wrongful acts of the Additional Covered Party, or their employees, agents, contractors, members, officers, directors or affiliates is not covered. Pollution and hazardous waste related liabilities, expenses and claims are excluded from coverage in the coverage document.

| | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|------------|--|
| CERTIFICATE HOLDER: | <input checked="" type="checkbox"/> | Additional Covered Party | <input type="checkbox"/> | Loss Payee | Primex ³ – NH Public Risk Management Exchange |
| | | | | | By: <i>Mary Beth Purcell</i> |
| State of NH Department of Environmental Services 29 Hazen Dr. PO Box 95 Concord, NH 03302 | | | | | Date: 3/16/2020 mpurcell@nhprimex.org |
| | | | | | Please direct inquires to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax |



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Each member of Primex³ is entitled to the categories of coverage set forth below. In addition, Primex³ may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex³, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex³ Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member. General Liability coverage is limited to Coverage A (Personal Injury Liability) and Coverage B (Property Damage Liability) only. Coverage's C (Public Officials Errors and Omissions), D (Unfair Employment Practices), E (Employee Benefit Liability) and F (Educator's Legal Liability Claims-Made Coverage) are excluded from this provision of coverage.

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|---|------------------------------|--|

| Type of Coverage | Effective Date (mm/dd/yyyy) | Expiration Date (mm/dd/yyyy) | Limits - NH Statutory Limits May Apply, If Not | |
|--|--------------------------------|---------------------------------|---|-------------|
| General Liability (Occurrence Form) Professional Liability (describe) <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence | | | Each Occurrence | |
| | | | General Aggregate | |
| | | | Fire Damage (Any one fire) | |
| | | | Med Exp (Any one person) | |
| Automobile Liability Deductible Comp and Coll: <input type="checkbox"/> Any auto | | | Combined Single Limit (Each Accident) | |
| | | | Aggregate | |
| <input checked="" type="checkbox"/> Workers' Compensation & Employers' Liability | 1/1/2020 | 1/1/2021 | <input checked="" type="checkbox"/> Statutory | |
| | | | Each Accident | \$2,000,000 |
| | | | Disease - Each Employee | \$2,000,000 |
| | | | Disease - Policy Limit | |
| <input type="checkbox"/> Property (Special Risk includes Fire and Theft) | | | Blanket Limit, Replacement Cost (unless otherwise stated) | |

Description: Proof of Primex Member coverage only.

| | | | |
|--|---------------------------------|-------------------|--|
| CERTIFICATE HOLDER: | Additional Covered Party | Loss Payee | Primex³ - NH Public Risk Management Exchange By: <i>Mary Beth Purcell</i> Date: 3/16/2020 mpurcell@nhprimex.org Please direct inquires to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax |
| State of NH Department of Environmental Services 29 Hazen Dr. PO Box 95 Concord, NH 03302 | | | |