

### THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



VICTORIA SHEEHAN COMMISSIONER

> Bureau of TSMO October 4, 2016

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

### REQUESTED ACTION

Authorize the Department of Transportation to exercise a **RETROACTIVE** extension option for the current partnership agreement with TrafficLand Incorporated ("TrafficLand"), 11208 Waples Mill Rd, Suite 109, Fairfax, VA 22030, Vendor #220254 for an additional three years at no cost to the State to provide a Video Information Distribution System upon Governor and Council approval. This extension would be effective October 12, 2016 through October 12, 2019. The original Agreement was approved by Governor and Council on October 12, 2011 (Item #82). No cost to the State.

#### **EXPLANATION**

The Department is requesting approval to exercise the three year renewal option to the current agreement to continue use of the TrafficLand Video Information Distribution System. This is a no cost contract to the Department. Contract costs are borne by users of the TrafficLand system which provides an accurate, video viewing service to the general public. The TrafficLand webpage can be accessed either through the <a href="www.nhtmc.com">www.nhtmc.com</a> portal or through its own address at <a href="www.trafficland.com">www.trafficland.com</a>. This agreement is retroactive starting October 12, 2016 due to the delayed arrival of the contract documents from TrafficLand.

The amendment has been approved by the Attorney General as to form and execution. Copies of the fully executed amendment 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,

Victoria F. Sheehan

Commissioner

### STATE OF NEW HAMPSHIRE DEPARTMENT OF INFORMATION TECHNOLOGY

27 Hazen Dr., Concord, NH 03301

Fax: 603-271-1516 TDD Access: 1-800-735-2964 www.nh.gov/doit

**Denis Goulet**Commissioner

September 29, 2016

Victoria Sheehan Commissioner State of New Hampshire Department of Transportation 7 Hazen Drive Concord, NH 03302

#### Dear Commissioner Sheehan:

This letter represents formal notification that the Department of Information Technology has approved your agency's request to enter into a no cost extension agreement with TrafficLand Incorporated, Fairfax, VA, as described below and referenced as Contract No. 2011-058A.

The purpose of this agreement with TrafficLand Incorporated is to continue the use of the Video Information Distribution System. There is no charge to the general public who can view these images on TrafficLand's own webpage (TrafficLand.com) or on webpages hosted by private vendors (i.e.WMUR.com). The State will benefit from having its video available to the public through this free video hosting service. The amendment will be effective upon Governor and Council through October 12, 2019.

A copy of this letter should accompany Department of Transportation's submission to the Governor and Executive Council for approval.

11/20

Sincerely

Denis Goulet

DG/mh Contract 2011-058A

cc: Gail Hambleton, IT Leader

# STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION VIDEO INFORMATION DISTRIBUTION SYSTEM CONTRACT 2011-058 CONTRACT AMENDMENT 2011-058A

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation (NHDOT) and TrafficLand Incorporated (TrafficLand) on October 12, 2011, Item #82 for the period of October 12, 2011 through October 12, 2016 with an option of one three year renewal;

WHEREAS, the Vendor, TrafficLand, and NHDOT have agreed to amend certain provisions of the agreement;

WHEREAS, Section 1.7 Completion Date, of the P-37 form is 5 years from the G&C approval date of October 12, 2011 and NHDOT wishes to amend the date to October 12, 2019.

### RESOLVED, that the agreement be amended as follows:

Section 1.7, Completion Date, of the P-37 form shall be amended to read October 12, 2019.

All other provisions of the agreement shall remain in effect.

### TrafficLand Incorporated Name: <u>LAWRENCE H NELSON</u> Date: \_9/1/2016 Signature: State of VIRGINIA County of FAIRFAX \_\_day of September, 2016, before me, LANYA KAY G undersigned officer, personally appeared LAWAMA H. NILSON (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. LAURA KAY GIBSON NOTARY PUBLIC Notary Public/Justice of the Peace MARCH 31, 2020 My Commission Expires: <u>02</u> NH Department of Transportation Date: 9/12/16 David Rodrigue, PE Director of Operations NH Department of Transportation Approved by the Attorney General (Form, Substance and Execution) State of New Hampshire, Department of Justice

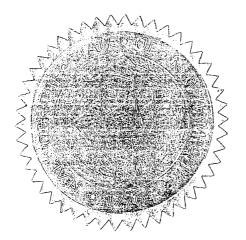
Approved by Governor and Council

Date:

## 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 TrafficLand, Inc. a(n) Delaware corporation, is authorized to transact business in New Hampshire and qualified on March 24, 2011. I further certify that all fees and annual reports required by the Secretary of State's office have been received.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 31<sup>st</sup> day of August, A.D. 2016

William M. Gardner Secretary of State

#### SECRETARY'S CERTIFICATE

### TRAFFICLAND, INC.

I, Monica Cordero, the undersigned, hereby certify that I am the duly elected Secretary of TrafficLand, a Delaware corporation, (the "Company"), and as such I am authorized to execute this certification. As of September 1<sup>st</sup> 2016, I hereby certify to the New Hampshire Department of Transportation, that:

- 1. Lawrence H. Nelson is the duly appointed, qualified and acting Chief Executive Officer of the Company.
- 2. Pursuant to Section 4.2 of the Bylaws of the Company, the Chief Executive Officer of the Company is authorized to enter into contracts on behalf of the Company by virtue of the authority that generally pertains to the office of Chief Executive Officer.
- 3. The Company execute and deliver to the State of New Hampshire a certain Amendment to Video Information Distribution System, in the form attached hereto.

IN WITNESS WHEREOF, I have duly executed this Certificate as the Secretary of the Company as of the date first set for above.

Name: MONICA C. CORDERO CORPORATE SECRETARY



### CERTIFICATE OF LIABILITY INSURANCE

9/2/2016

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 '.OW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED \_PRESENTATIVE 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).

<u></u>						
CONTACT NAME:						
PHONE (A/C, No. Ext); (703) 777-2341 FAX (A/C, No): (7	3) 771-1852					
E-MAIL ADDRESS:						
INSURER(S) AFFORDING COVERAGE	NAIC #					
INSURER A: Hartford Casualty Insurance Company	29424					
INSURER B : Hartford Fire Insurance Company	19682					
INSURER C: Twin City Fire Insurance Company	29459					
INSURER D:						
INSURER E :						
INSURER F:						
	NAME: PHONE (AIC, No, Ext): (703) 777-2341  E-MAIL ADDRESS:  INSURER(S) AFFORDING COVERAGE  INSURER A: Hartford Casualty Insurance Company  INSURER B: Hartford Fire Insurance Company  INSURER C: Twin City Fire Insurance Company  INSURER D: INSURER E:					

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COVERAGES  CERTIFICATE 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.										
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							MED EXP (Any one person)	\$		
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	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$	4,000,000	
	X POLICY PRO-						PRODUCTS - COMP/OP AGG	\$	4,000,000	
_	OTHER:						COMBINED SINGLE LIMIT	\$		
	AUTOMOBILE LIABILITY	1					(Ea accident)	\$	1,000,000	
В	ANY AUTO ALL OWNED SCHEDULED			42UECTB1643	01/06/2016	01/06/2017	BODILY INJURY (Per person)	\$		
	AUTOS AUTOS						BODILY INJURY (Per accident) PROPERTY DAMAGE	\$		
	AUTOS AUTOS						(Per accident)	\$		
	X Comp Ded: \$500 X Coll Ded: \$500							\$		
	X UMBRELLA LIAB X OCCUR				03/03/2016	03/03/2017	EACH OCCURRENCE	\$	2,000,000	
Ą	EXCESS LIAB CLAIMS-MADE		42SBARS6570	42SBARS6570			AGGREGATE	\$	2,000,000	
	DED X RETENTION \$ 10,000							\$		
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			42WECRJ4899	03/03/2016	03/03/2017	X PER OTH- STATUTE ER			
C	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	N/A					E.L. EACH ACCIDENT	\$	1,000,000	
	(Manelatory in MRN	ا^،،،ار					E.L. DISEASE - EA EMPLOYEE	\$	1,000,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	\$	1,000,000	
State	CRIPTION OF OPERATIONS / LOCATIONS / VEHIC e of New Hampshire Department of Trai ect to the provisions of the policy							n conti	ract and	
CEI	RTIFICATE HOLDER			CAN	CELLATION					

State of New Hampshire Department of Transportation Bureau of Traffic-TMC 110 Smokey Bear Blvd Concord, NH 03302 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

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### THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



September 2, 2011 Bureau of Traffic

His Excellency, Governor John H. Lynch and the Honorable Council State House Concord, NH 03301

#### REQUESTED ACTION

Authorize the Department of Transportation ("State") to enter into a public private partnership agreement with TrafficLand Incorporated ("TrafficLand"), 11208 Waples Mill Rd, Suite 109, Fairfax, VA 22030, Vendor # 220254 with no cost to the State, to provide a Video Information Distribution System effective upon Governor and Council approval. The completion date will be five years from the Governor and Council approval date. No cost to the State.

### **EXPLANATION**

The Department is requesting approval to use the TrafficLand Video Information Distribution System, which provides an accurate, timely and complete video viewing service to the general public as well as an aid to the traveling public.

Under this agreement, TrafficLand will install equipment at the TMC that will allow NHDOT ITS highway video to be transferred to their Virginia facility where these images will be placed on large video hosting computer systems. These images are then catalogued into network choices and made available to private vendors (generally trucking companies & TV Stations) for a fee. These same images are also made available to NHDOT for posting on its webpage for the general public to view at no cost. This arrangement incurs no cost to the State because TrafficLand's profit is made from fees charged to the private vendors who request the video images. There is no charge to the general public who can view these images on NHDOT's webpage, TrafficLand's webpage (TrafficLand.com), or on webpages hosted by private vendors.

The State will benefit from having its video available to the public through this free video hosting service and the State will avoid incurring the infrastructure costs (upwards of \$300,000) that would be needed if it were to provide this free web hosting dissemination service. Media stations and other third parties will benefit by having access to multiple video streams at any given time.

TrafficLand does not record video and has the same restriction of no recording in all of its commercial contract agreements.

This contract has been approved by the Attorney General as to form and execution. Copies of the fully executed contract 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 contract is respectfully requested.

Sincerely,

Jeff Brillhart, P.E.

Assistant Commissioner