

49 Bonds



**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION**



**CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER**

**JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER**

Bureau of Finance and Contracts
January 10, 2014

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

REQUESTED ACTION

- 1.) In accordance with Governor and Council approval of July 19, 1995, Item #171, the Department of Transportation, Bureau of Finance and Contracts, reports all paid Small Claims in the previous second quarter of FY 2014 totaling \$1,567.00 for individual amounts less than \$600.00 submitted under the provisions of RSA 228:29.
- 2.) The Department further requests approval of Governor and Council to pay small claims for the next Fiscal Year quarter, January 01, 2014 through March 31, 2014. 100% Highway Funds.

Funding is available as follows:	<u>Appropriation FY 2014</u>	<u>Paid to date</u>	<u>Balance Remaining</u>
04-96-96-960215-3001 Division of Finance 068-500563 Remuneration	\$5,000.00	\$2,560.40	\$2,439.60

EXPLANATION

RSA 228:29, authorizes the Commissioner to use funds accruing to the Department of Transportation for the payment of small claims occasioned by accidents due to the activities of the Department of Transportation. Any person claiming damage due to the activities of the Department of Transportation may seek payment of the small claim if the amount is less than \$600.00. If, upon investigation, the small claim is valid, the Commissioner shall submit the recommendation for payment to the Governor and Council for approval.

To improve efficiency in processing these small claims, and to be more responsive to those claimants awaiting payment for a small claim, the Department of Transportation initiated a blanket approval process at the beginning of Fiscal Year 1996. The revised process was approved by Governor and Council on July 19, 1995 as Item #171. The process requires the Department of Transportation to seek approval from the Governor and Council prior to each Fiscal Year quarter and submit the claims paid in the previous quarter.

A review of claims approved for payment during the second quarter of Fiscal Year 2014, to date, indicates that four claims were paid.

Claimant: Richard Hansen

Amount: \$500.00

Mr. Hansen's vehicle was damaged on Interstate 89 between the towns of Contoocook and Hopkinton, New Hampshire on May 10, 2013 when he passed through the freshly painted white edge line. The Department's pavement marking crew was applying paint and upon investigation of Interstate 89, it was determined there were segments of the road that did not cure fully and as a result, paint did go into the travel lanes.

Claimant: Peter Schrankel

Amount: \$198.00

Mr. Schrankel's vehicle was damaged on Route 101 in Manchester, New Hampshire on September 23, 2013 when he struck a traffic cone. The cone that was struck clearly shows a "NHDOT" stencil, however, it is not of the style or specification now employed by the Department now. It is unlikely this cone was being used by State forces or the paving contractor. However, since the cone was obviously in our inventory at one time and we cannot absolutely state that cones of this type would not be found in our current inventory, Deputy Commissioner Pillsbury authorized the claim to be paid.

Claimant: Sherri Mireault

Amount: \$599.00

Ms. Mireault's vehicle was damaged on Interstate 95 in Portsmouth, New Hampshire on June 14, 2013 when she incurred a flat tire. The Bureau of Turnpikes operates a safety patrol along Interstate 95. A safety patrol realized Ms. Mireault's needed assistance with the flat tire. The lug bolts from the flat tire were removed, the spare tire was put on the car and the lug bolts were reinstalled. The spare tire had a set of lug bolts that were different from the original set. The threads were stripped as a result from using the original lug bolts.

Claimant: James Fournier

Amount: \$270.00

Mr. Fournier's vehicle was damaged on Bypass 28 in Auburn, New Hampshire on September 12, 2013 when he encountered the freshly painted white edge line paint. The Department's pavement marking crew was applying paint and did encounter a pop up rainstorm. The photos submitted with the claim show that the damage was caused by a rain event and not from driving on freshly painted lines.

A summary of the action taken on all claims for Fiscal Year 2014 is on file at the Department of Transportation.

Your approval of this resolution is respectfully requested.

Sincerely,



Christopher D. Clement, Sr.
Commissioner

CDC/drp