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Beau

Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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 4, 2016

REQUESTED ACTION

1. Authorize the Department of Transportation (NHDOT) to enter into a contract amendment with RLS & Associates, Inc., (Vendor # 248064), Dayton, Ohio, to increase the contract amount by \$164,994 from \$475,557 to \$640,551 for the development, management and implementation of the NH Rural Transit Assistance Program (RTAP). This amendment is effective upon Governor and Council approval or July 1, 2016, whichever is later. The original agreement was approved by Governor and Council on June 5, 2013, Item 229. 100% Federal Funds.
2. Further, authorize to amend the contract's completion date from June 30, 2016 to June 30, 2017, effective upon Governor and Council approval or July 1, 2016, whichever is later.

Funding is available as follows:

	<u>FY 2017</u>
04-96-96-964010-2916	
Public Transportation	
072-500575 Grants to Non-Profit-Federal	\$164,994

EXPLANATION

RLS & Associates, Inc., (RLS) has been successfully administering NH's Rural Transit Assistance Program (RTAP) for the past three years for the development, management, and implementation of the program. This amendment will exercise the Department's option for renewal for year four of the current three-year contract agreement with RLS. The amendment also provides \$164,994 for SFY 2017 for the overall management and continued implementation of existing Tasks I through VII for year four of the contract agreement.

The Department has available Federal Transit Administration (FTA) Section 5311(b)(3) RTAP funds, which are apportioned to each State to assist in the design and implementation of training and technical assistance projects and other support services tailored to meet the needs of rural public transit operators. The Department's RTAP program, through RLS, provides technical assistance, research, and training for rural transit and specialized transit providers in New Hampshire. RLS has been responsible for the overall management of the Department's RTAP program as outlined in Tasks I through VII of the

original contract and includes: planning and preparing an annual work program; supporting and assisting the Department with Federal Transit Administration (FTA) grant submissions as required; developing training materials; promoting and delivering training courses; conducting outreach and coordinating with other organizations involved in rural public transportation in NH; convening quarterly RTAP Advisory Council meetings; facilitating special events (workshops, annual Tri-State Transit Conference, NTI trainings, etc.); assisting the Department with certain special projects related to the design, implementation or administration of FTA programs, and monitoring the success of NH RTAP through user input and feedback.

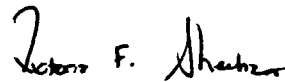
RTAP funds are 100% Federal. In the event that Federal funds become unavailable, general funds will not be requested to support this program.

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, appearing to read "Victoria F. Sheehan". The signature is written in a cursive style with a large initial "V".

Victoria F. Sheehan
Commissioner

Attachments

AMENDMENT TO AGREEMENT

RLS & ASSOCIATES, INC.

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation (NHDOT) and RLS & Associates, Inc. on June 5, 2013, Item 229 for the period July 1, 2013 through June 30, 2016 with an option of two one year renewals;

WHEREAS, the Contractor, RLS & Associates, Inc. and NHDOT have agreed to amend certain provisions of the agreement;

WHEREAS, Section 1.7 Completion Date, of the P-37 form is June 30, 2016 and NHDOT wishes to amend the date to June 30, 2017;

WHEREAS, Section 1.8 Price Limitation, of the P-37 form is \$475,557 and NHDOT wishes to increase the contract amount by \$164,994 amending the total contract amount to \$640,551;

WHEREAS, Exhibit B, Budget provides funding for the Federal Transit Administration (FTA) Section 5311 Rural Transit Assistance Program (RTAP) portion of the eligible projects costs for training, technical assistance, scholarships and related support services;

WHEREAS, Exhibit B, Budget, B.2 reads, "Scholarship programs funds (\$30,000 per fiscal year) are passed through to the Contractor and paid to the transit agencies for approved scholarship reimbursement. The Contractor shall not request or retain any scholarship funds that are not passed through to transit agencies.";

WHEREAS, the Department of Transportation has available FTA Section 5311 Rural Transit Assistance Program funds;

RESOLVED, that the agreement be amended as follows:

Section 1.7, Completion Date, of the P-37 form shall be amended to read June 30, 2017.

Section 1.8, "Price Limitation" of the P-37 form be amended to read \$640,551, (increase of \$164,994);

Exhibit B, Budget, shall be amended to include \$164,994 of FTA Section 5311 RTAP funds for State Fiscal Year 2017 for a revised contract total of \$640,551.

Tasks I - VI	SFY 2014	SFY 2015	SFY 2016	3 Yr Total	Amended SFY 2017	Amended 4 Yr Total
Task I: Project Planning & Coordination	\$7,141	\$7,355	\$7,576	\$22,072	\$7,576	\$29,648
Task II: Development & Promotion of Training Program	\$42,340	\$43,610	\$44,919	\$130,869	\$44,919	\$175,788
Task III: Special Events	\$10,569	\$10,886	\$11,213	\$32,668	\$20,000	\$52,668
Task IV: Administration of Scholarship program	\$12,933	\$13,321	\$13,721	\$39,975	\$8,500	\$48,475
Task V: NHRTAP Information Center	\$4,405	\$4,537	\$4,673	\$13,615	\$12,000	\$25,615

Task VI: Financial Management	\$11,310	\$11,649	\$11,999	\$34,958	\$11,999	\$46,957
Subtotal	\$88,698	\$91,359	\$94,100	\$274,157	\$104,994	\$379,151
Scholarship Program (Pass-through as needed)	\$30,000	\$30,000	\$30,000	\$90,000	\$30,000	\$120,000
Task VII: Optional Supplemental Services as requested by NHDOT	\$46,010	\$37,793	\$27,597	\$111,400	\$30,000	\$141,400
TOTAL	\$164,708	\$159,152	\$151,697	\$475,557	\$164,994	\$640,551

Exhibit B, Budget, B.2 be amended to include additional wording as follows:

Nothing in this Section shall prevent NHDOT from allowing RLS to utilize scholarship funds remaining from previous fiscal years for other tasks within the scope of this contract.

All other provisions of the agreement shall remain in effect.

RLS & ASSOCIATES, INC.

By: Robbie L. Sables

Date: 4/26/2016

Title: President

Signature: [Handwritten Signature]

County of Montgomery

On this the 26 day of April, 2016, before me, Robbie L. Sables, President, the undersigned officer, personally appeared Robbie Sables, 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



DEBORAH L. THRAWL, Notary Public
In and for the State of Ohio
My Commission Expires 4/4/2020

NH Department of Transportation

By: Bernice C. Herbberg

Date: 5/11/16

Title: Director

Signature: [Handwritten Signature]

Approved by Attorney General

By: Matthew Broadhead

Date: 5/12/16

Title: Assistant Attorney General

Signature: [Handwritten Signature]

Approved by Governor and Council

By: _____

Date: _____

EXHIBITS TO AMENDMENT

CERTIFICATE OF GOOD STANDING

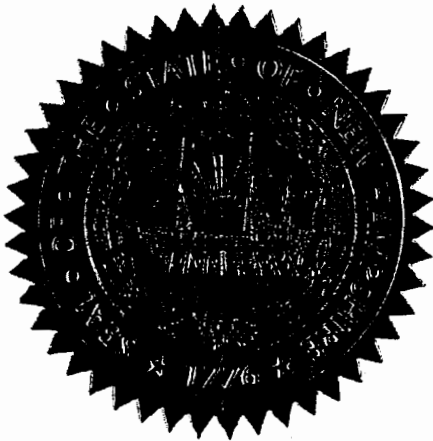
CERTIFICATE OF CORPORATE VOTE

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 RLS & Associates, Inc. a(n) Ohio corporation, is authorized to transact business in New Hampshire and qualified on April 26, 2013. 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 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



Moving Public Transportation
Into the Future

RLS & ASSOCIATES, INC.


CERTIFICATE OF VOTE

I, Andrew K. Schultze certify that I am Vice President of RLS & Associates, Inc.

I also hereby certify that the following is a true copy of a vote taken at a special meeting of the Board of Directors of the corporation held on April 26, 2016 at the office of RLS & Associates, Inc., whose headquarters are in Dayton, Ohio at which a quorum of the Board was present and voting.

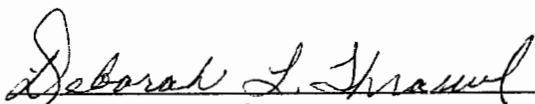
VOTED: That Robbie L. Sarles, as President of said corporation, is hereby authorized and empowered to execute all documents between the State of New Hampshire, and its subdivisions, and RLS & Associates, Inc., relating to the corporation's services provided as part of the New Hampshire Rural Transit Assistance Program, and further authorizing said office to execute any documents which may in her judgment be desirable or necessary to effect the program of this vote.

I hereby certify that said vote has not been amended or repealed and remains in full force and effect as of April 26, 2016.



Andrew K. Schultze
Vice President
RLS & Associates, Inc.

Subscribed and sworn before me this 26th day of April, 2016.



Deborah L. Thrawl, Notary



DEBORAH L THRAWL, Notary Public
In and for the State of Ohio
My Commission Expires 4-4-2020



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/27/2016

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 THOMAS & GRUSHON, BELLBROOK 22 E. FRANKLIN ST. BELLBROOK, OH 45305	Phone: 937-848-6181 Fax: 937-848-8289	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Robbie Sarles RLS & Assoc Inc 3131 S Dixie Hwy Suite 545 Dayton, OH 45439	INSURER A : Grange Mutual Companies		14060
	INSURER B : Lloyds Underwriters		
	INSURER C : Travelers Insurance		
	INSURER D :		
	INSURER E :		
INSURER F :			

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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			CPP2060356	04/01/2016	04/01/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			CPP2060356	04/01/2016	04/01/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Per Occurrence \$ 1,000,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB OCCUR CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 5000			CUP2048289	04/01/2016	04/01/2017	EACH OCCURRENCE \$ AGGREGATE \$ 5,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	ICUB-1A73403-7	06/01/2016	06/01/2017	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Professional Liab			0000-00078665F	05/23/2016	05/23/2017	Per Occur 2,000,000 Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The State of New Hampshire, Department of Transportation for the State of New Hampshire, Employees, and supervisors, are hereby listed as Additional Insured in accordance with form CG 2010 or those forms equivalent which provided additional insured language required by the certificate holder, its employees or representatives.

CERTIFICATE HOLDER

NEW0HA1

New Hampshire
 Department of Transportation
 John O Morton Building
 P O 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

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THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



229

CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

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

Bureau of Rail & Transit
April 29, 2013

Approved 6/5/13
Item 229

REQUESTED ACTION

Authorize the Department of Transportation to enter into an agreement with RLS & Associates, Inc. (Vendor # 248064), Dayton, Ohio, for an amount not to exceed \$475,557 for the development, management and implementation of the NH Rural Transit Assistance Program (NHRTAP), effective upon Governor and Council approval through June 30, 2016. 100% Federal Funds.

Funding is contingent upon the availability and continued appropriation of funds.

	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>
04-96-96-964010-2916			
Public Transportation			
072-500575 Grants to Non-Profits-Federal	\$164,708	\$159,151	\$151,698

EXPLANATION

The Department has available Federal Transit Administration (FTA) Section 5311 Rural Transit Assistance Program (RTAP) funding that is apportioned to each state for technical assistance, training, research, and support services for rural public transit. The Department's NHRTAP program provides technical assistance, research and training for rural transit and specialized transit providers in New Hampshire. The requested funding has been made available for the development, management and implementation of a revised NHRTAP program.

The Department awarded a contract to RLS & Associates, Inc. for the overall management of the NHRTAP as outlined in Tasks I-VII of the contract agreement, for a period of three (3) years with yearly options for years 4 and 5. Tasks I-VII of the contract agreement include planning and preparing the annual work program; supporting and assisting NHDOT with FTA grant submissions as required; developing training materials; promoting and delivering training courses; conducting outreach and coordination with other organizations involved in rural public transportation in NH; convening quarterly RTAP Advisory Council meetings; facilitating special events as needed (workshops, annual Tri-State Transit Conference, NTI trainings, etc.); monitoring the success of the NHRTAP through user input and feedback, maintaining the NHRTAP website, providing a contact telephone number for remote assistance; distributing resource materials (including National RTAP materials); collecting and maintaining available information resources on relevant rural public transit topics; developing timely information briefs and program updates (via website or email); creating, storing, and distributing relevant training materials; and provide a range of supplemental technical assistance initiatives based on approved task orders. The contract will begin upon Notice to Proceed following Governor and Council approval.

The Bureau of Rail & Transit issued a NHRTAP Program Management Intent to Apply notice on September 24, 2012 to seek interest from qualified firms. The Intent to Apply notice was widely distributed through advertisements published in APTA's Passenger Transport magazine (both printed on online) and the NH Union Leader. Additionally the notice was distributed to a list that included the NH Transit Association, NH public transit providers, NH Regional Planning Commissions and Metropolitan Planning Organizations, and other known interested parties or firms that manage other state RTAP programs. Respondents to the NHRTAP Intent to Apply notice included Applied Pavement Technology, Granite State Independent Living, Coordinated Transportation Solutions, TransAction Associates, RLS & Associates, Inc. and NH Traffic Safety Institute. Full Requests for Proposals were distributed to these respondents on November 6, 2012 and due by December 21, 2012. Three proposals were received by the due date from RLS & Associates, Coordinated Transportation Solutions, and TransAction Associates.

A NHRTAP Program Management evaluation committee that consisted of Shelley Winters (NHDOT Bureau Administrator of Rail & Transit and former NHRTAP Program Manager), Karen Jennison (NHDOT Transit Grants Coordinator and current NHRTAP Program Manager), and Van Chesnut (Chair of the NH Transit Association and Executive Director of Advance Transit) reviewed and scored the proposals on January 18, 2013. The proposals were scored based on the agency's proposed approach to program delivery, qualifications and experience of the firm, qualifications of the project staff, cost proposal and supplemental services. The proposals were ranked as follows:

- | | |
|---|--------------|
| 1. RLS & Associates | Score: 94.65 |
| 2. TransAction Associates | Score: 81.02 |
| 3. Coordinated Transportation Solutions | Score: 50.70 |

The evaluation committee's ranking and recommendation was to enter into contract negotiations with RLS & Associates, Inc. and was submitted to the Deputy Commissioner for approval on January 22, 2013. Upon approval of the Deputy Commissioner, a contract was awarded to RLS & Associates, Inc. and contract terms were negotiated.

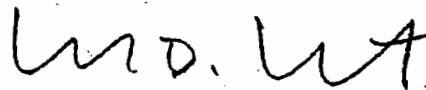
Funding for this project includes \$475,557 of FTA Section 5311 Rural Transit Assistance Program funds (100% Federal).

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 2014, 2015 and 2016 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,



Christopher D. Clement, Sr.
Commissioner

Attachments