



# State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES  
OFFICE OF THE COMMISSIONER  
25 Capitol Street – Room 120  
Concord, New Hampshire 03301

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LINDA M. HODGDON  
Commissioner  
(603) 271-3201

JOSEPH B. BOUCHARD  
Assistant Commissioner  
(603) 271-3204

May 21, 2014

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

### REQUESTED ACTION

Authorize the Department of Administrative Services to enter into a Memorandum of Agreement (MOA) with the Department of Health and Human Services (DHHS) (VC#177926-B001) in an estimated annual amount not to exceed \$24,000 for the provision of waste recycling services for buildings situated within the Governor Hugh Gallen State Office Park, Concord NH. Effective upon Governor and Council approval, perpetual and continued in effect, until such time either party wishes to terminate without cause upon thirty (30) days written notice. Funding source: 100% Revolving Recycling Funds.

Funding is available in the SFY2015 operating budget as follows:

01-14-14-144010-82620000 Dept. of Admin Services, Bur Plant/Prop Mgt, Recycling Fund  
103-502664 Contract for Operational Services \$24,000

### EXPLANATION

The purpose of this Memorandum of Agreement (MOA) is for the NH Department of Health and Human Services to provide to the NH Department of Administrative Services Waste Recycling Services for buildings situated within the Governor Hugh Gallen State Office Park, located between Pleasant, Fruit, Clinton, and South Spring Streets in Concord, New Hampshire.

The recycling services for the Governor Hugh Gallen Office Park were originally provided by the Tobey School Program to provide meaningful work for their clients and encourage recycling. When the Tobey School program was cancelled the recycling services were transferred to the Transitional Housing Program within DHHS to continue to provide the recycling services that benefited the clients and the state recycling program within the Governor Hugh Gallen Campus. In accordance with RSA 9-C:7 Recycled Materials Revenue, "Any revenues derived from collections made by the Tobey School shall be used first to reimburse the school's cost of collecting and handling the materials." In addition, in accordance with RSA 9-C:6 Fund Established, "All moneys in the state recycling fund shall be continually appropriated to the commissioner of administrative services for the purpose of paying division costs in administering this chapter, providing state agencies with needed equipment and supplies for recycling, or to offset any costs associated with providing recycled materials pickup service."

Respectfully submitted,

Linda M. Hodgdon  
Commissioner

**MEMORANDUM OF AGREEMENT (MOA)  
BETWEEN  
THE NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AND  
THE NEW HAMPSHIRE DEPARTMENT OF ADMINISTRATIVE SERVICES**

Waste Recycling Services located within the Governor Hugh Gallen State  
Office Park, Concord NH

**I. PURPOSE**

The purpose of this Memorandum of Agreement (MOA) is for the NH Department of Health and Human Services to provide to the NH Department of Administrative Services Waste Recycling Services for buildings situated within the Governor Hugh Gallen State Office Park, located between Pleasant, Fruit, Clinton, and South Spring Streets in Concord, New Hampshire.

**II. PARTIES**

The parties to this agreement are the NH Department of Health and Human Services (hereinafter "DHHS") and the NH Department of Administrative Services (hereinafter "DAS").

**III. AUTHORITY**

The recycling services for the Governor Hugh Gallen Office Park were originally provided by the Tobey School Program to provide meaningful work for their clients and encourage recycling. When the Tobey School program was cancelled the recycling services were transferred to the Transitional Housing Program within DHHS to continue to provide the recycling services that benefited the clients and the state recycling program within the Governor Hugh Gallen Campus. In accordance with RSA 9-C:7 Recycled Materials Revenue, "Any revenues derived from collections made by the Tobey School shall be used first to reimburse the school's cost of collecting and handling the materials." In addition, in accordance with RSA 9-C:6 Fund Established, "All moneys in the state recycling fund shall be continually appropriated to the commissioner of administrative services for the purpose of paying division costs in administering this chapter, providing state agencies with needed equipment and supplies for recycling, or to offset any costs associated with providing recycled materials pickup service."

**IV. SCOPE OF WORK**

- A. Service Locations:** The collection service locations shall be twenty-two (22) buildings situated within the Governor Hugh Gallen State Office Park, located between Pleasant, Fruit, Clinton, and South Spring Streets in Concord, New Hampshire, said buildings to include: New Hampshire Hospital, Department of Revenue Administration, Dolloff Building, Johnson Hall, Main Building, Annex, Walker Building, Thayer Building, Department of Education, Department of Labor, Archives, Electrical Shop, Laundry Building, Parking Garage, Call Center, Howard Recreation, 89 Pleasant Street (Yellow House), 91 Pleasant Street (Brick House), 93 Pleasant Street (Grey House), 125 Pleasant Street (Pond Place), 5 Howard Drive (Bayberry House), Liberty House, and Tobey Building when occupied. In addition other buildings that may become occupied within the Governor Hugh Gallen State Office Park as agreed upon by both parties.
- B. Recycling Services:** Recycling services shall include collection, sorting, shredding, transportation, and disposal of recyclable waste at designated State locations, such recyclable waste to include mixed paper, cardboard, plastic, aluminum and steel cans, and glass. Every weekday (Monday through Friday, excluding State Employee

Holidays) throughout the term of this MOA, DHHS shall collect recyclable waste from the service locations listed above according to the daily pickup schedule attached hereto and incorporated herein as **EXHIBIT A ~ ATTACHMENT A ~ Recycling Truck Schedule**, sort and shred the materials as appropriate, transport the material to one of two destinations, and dispose of it into one or more containers and/or compactors situated at the disposal destination which were procured by DAS for such purpose. The primary disposal destination is located within the Governor Hugh J. Gallen State Office Park. The secondary disposal destination is located at 11 Stickney Avenue in Concord, New Hampshire. DHHS shall transport all collected recyclable waste to the primary disposal destination except when the containers and/or compactors at said location are full or unavailable due to maintenance, at which time DHHS shall proceed to the secondary disposal destination. DAS reserves the right to designate other disposal locations as it sees fit to replace and/or supplement the primary and secondary disposal destinations described above.

- C. **Recordkeeping**: DHHS agrees to maintain and provide the following written records: Timesheets for all personnel performing Scope of Work under the MOA, a log of amounts of materials collected (by weight), and a truck mileage log. These records must be submitted to the DAS quarterly for review and approval.

## **V. FUNDING**

DAS shall reimburse DHHS for aggregate personnel labor costs and truck mileage accrued in the performance of its obligations at a fixed quarterly rate derived from the applicable annual price limitation set forth below for the corresponding fiscal year. Fiscal Year reimbursement (and corresponding fixed quarterly rates) are estimated at \$24,000 annually (\$6,000 quarterly).

The Fiscal Year reimbursement shall be reviewed annually or as necessary to accommodate revisions to section IV A, SCOPE OF WORK, Services Location and adjusted as agreed upon by both parties. In order to support and allow for program expansion efforts, Fiscal Year reimbursement for this agreement shall not exceed \$30,000.

Invoices shall be submitted to the DAS quarterly together with the supporting written records required to be maintained under this MOA pursuant to section IV-C, Scope of Work, Recordkeeping. Payment shall be made quarterly in full to DHHS within thirty (30) days after receipt of an invoice and DAS approval of the supporting records.

Invoices shall be submitted to the following address:

NH DAS Fixed & Mobile Assets  
State House Annex – Room 113A  
25 Capitol Street  
Concord NH 03301

## **VI. TERMINATION**

Either DHHS or DAS, except where notice default has been given to DHHS hereunder, may terminate this MOA without cause upon thirty (30) days written notice.

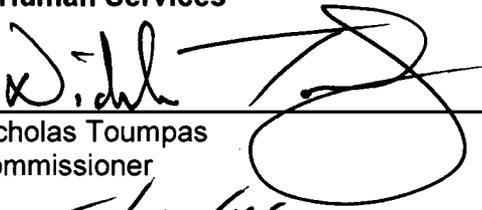
## **VII. DURATION**

This MOA shall be perpetual and continue in effect until such time either party wishes to terminate without cause upon thirty (30) days written notice.

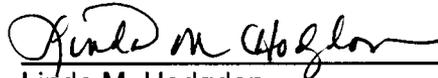
**VIII. AGREEMENT**

In WITNESS THEREOF, the parties hereto have executed this Agreement, which shall become effective on the date the Governor and Council of the State of New Hampshire approves this agreement.

**NH Department of Health and Human Services**

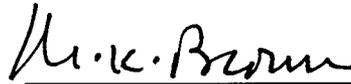
  
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Nicholas Toumpas  
Commissioner  
5/16/14  
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Date

**NH Department of Administrative Services**

  
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Linda M. Hodgdon  
Commissioner  
5/21/14  
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Date

Approved by the Attorney General this 28<sup>th</sup> day of May, 2014, as to form, substance and execution.

OFFICE OF THE ATTORNEY GENERAL

  
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## EXHIBIT A ~ ATTACHMENT A ~ Recycling Truck Schedule

Revised May 2014

<b>MONDAY</b>	Tobey, APS (NEW HAMPSHIRE HOSPITAL), DEPT. OF REVENUE, DOLOFF BUILDING, THS RESIDENCES (POND PLACE, BAYBERRY, YELLOW, GREY, BRICK AND HOWARD REC. CTR.). Sweep out truck.
<b>TUESDAY</b>	APS (NEW HAMPSHIRE HOSPITAL), MAIN BUILDING. Sweep out truck.
<b>WEDNESDAY</b>	Tobey, APS (NEW HAMPSHIRE HOSPITAL), WALKER BUILDING, Johnson Hall, THAYER BUILDING, EVERY OTHER WEEK: ANNEX and ARCHIVE. Sweep out truck.
<b>THURSDAY</b>	APS (NEW HAMPSHIRE HOSPITAL), Fill gas tank, get receipt. DEPT. OF EDUCATION Sweep out truck.
<b>FRIDAY</b>	Tobey, APS, WALKER BUILDING, MAIN BUILDING CALL CENTER, DEPT. OF LABOR,, ELECTRICAL AREA, LAUNDRY BUILDING, GARAGE ) Sweep out truck.

- The amounts of recycling materials vary from site to site. Sometimes due to time constraints the truck crew is unable to finish a site during the morning hours of 8:00 AM-11 AM. When a site does not get completed that morning it is either completed that afternoon or first thing the following morning.
- At times the compactor can be full or down for maintenance. When this occurs, the truck crew will go to an alternative site at Stickney Ave. This also changes some of the pickup times for various sites. The trucks gas tank should be filled once a week. If the trailer at this site ( 11Stickney Avenue) is full please call Crista at 1 802 772 6929

# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 9-C

#### STATE GOVERNMENT WASTE REDUCTION, RECYCLING, AND RECYCLED PRODUCTS PURCHASE

##### Section 9-C:6

**9-C:6 Fund Established.** – There is established in the office of the state treasurer a nonlapsing fund to be known as the state recycling fund to be administered by the director of the division, which shall be kept distinct and separate from all other funds. All moneys in the state recycling fund shall be continually appropriated to the commissioner of administrative services for the purpose of paying division costs in administering this chapter, providing state agencies with needed equipment and supplies for recycling, or to offset any costs associated with providing recycled materials pickup service. The treasurer shall deposit all donations received under RSA 9-C:7, I in the state recycling fund.

Source. 2008, 359:2, eff. Sept. 9, 2008.

# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 9-C

#### STATE GOVERNMENT WASTE REDUCTION, RECYCLING, AND RECYCLED PRODUCTS PURCHASE

##### Section 9-C:7

###### **9-C:7 Recycled Materials Revenue. –**

I. All sales revenues for materials recycled by state agencies shall be forwarded quarterly to the state treasurer for deposit into the state recycling fund established in RSA 9-C:6. Any revenues derived from collections made by the Tobey School shall be used first to reimburse the school's cost of collecting and handling the materials. The division may accept gifts, grants, donations or other moneys for deposit into the fund to be used for the same purposes as other moneys in the fund.

II. Funds accruing to the liquor commission from the sale of corrugated boxes shall be exempt from the provisions of paragraph I. The liquor commission shall report quarterly to the director of the division on the use of such funds in its recycling program. Excess funds generated by the recycling program of the liquor commission which are not used by June 30 of each year shall lapse to the fund under RSA 9-C:6.

Source. 2008, 359:2, eff. Sept. 9, 2008.