



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

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

Bureau of Rail & Transit
May 5, 2016

REQUESTED ACTION

Authorize the Department of Transportation to enter into a **sole source** contract amendment with Southern NH Planning Commission, (Vendor 154521), Manchester, New Hampshire, to increase the contract amount by \$124,970 from \$298,800 to \$423,770 for coordinated transportation services for seniors and individuals with disabilities, effective upon Governor and Council approval or July 1, 2016, whichever is later, through June 30, 2017. The original agreement was approved by Governor and Council on May 27, 2015, Item #60. 100% Federal Funds.

Funding is available as follows:

FY 2017

04-96-96-964010-2916
Public Transportation
072-500575 Grants to Non-Profit-Federal \$124,970

EXPLANATION

In December 2015, the Department announced the availability of Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program funds (Section 5310 Formula) to support coordinated transportation services in the nine NH Regional Coordination Council (RCC) regions. This **sole source** contract amendment is based on the availability of FTA Section 5310 Formula funds that the Department has sub allocated to each RCC through a formula apportionment for State Fiscal Year 2017. Since Southern NH Planning Commission (SNHPC) has been designated by the Region 8 (Manchester region) RCC to continue as the lead agency for Section 5310 Formula funded projects, this contract is proposed to be amended to include additional funds for SFY 2017 activities in this region.

SNHPC is a recipient of both Section 5310 Purchase of Service program funds as well as Section 5310 Formula Funds to provide expanded transportation services in the Manchester region RCC service area. The Department entered into a two-year contract with SNHPC for the period July 1, 2015 to June 30,

2017 and included SFY 2016 and 2017 Section 5310 Purchase of Service funds and SFY 2016 Section 5310 Formula funds. SFY 2017 Section 5310 Formula funds were not originally included as the Department and the State Coordinating Council for Community Transportation in New Hampshire (SCC) were in the process of reevaluating the 2006 State Coordination Plan and developing a scope of work for a consultant to draft a revised plan that includes an assessment of the RCC's use of 5310 Formula funds and recommendations for their future use by the RCC's. There has been a delay in conducting the study so the Department is requesting funds for SFY 2017 to continue ongoing services for the remainder of the contract period. The Department has sub allocated available 5310 Formula funds to each RCC for SFY 2017 and separate contract amendments for each RCC will be submitted. This contract amendment is reflective of the allocation made available to the region SNHPC represents and provides \$124,970 (80% Federal) for SFY 2017 activities included in the two-year agreement. The twenty percent (20%) required match to leverage the Federal funds will be provided by cash match through SNHPC.

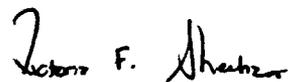
In the event that Federal funds become unavailable, general funds will not be requested to support this program.

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,



Victoria F. Sheehan
Commissioner

Attachments

AMENDMENT TO AGREEMENT

SOUTHERN NH PLANNING COMMISSION

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation and Southern New Hampshire Planning Commission (SNHPC) on May 27, 2015, (Item #60) to be effective July 1, 2015 through June 30, 2017, and this agreement remains in effect;

WHEREAS, the Price Limitation in Section 1.8 of the P-37 form is \$298,800;

WHEREAS, Exhibit A describes the Scope of Service;

WHEREAS Exhibit B, Budget provides funding for the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula program (Section 5310 Formula) for Region 8, Southern NH Greater Manchester region;

WHEREAS, the Department of Transportation has available Federal funds for the FTA Section 5310 Formula program;

RESOLVED, that the agreement be amended as follows:

Section 1.8, "Price Limitation" of the P-37 form be amended to read \$423,770 (increase of \$124,970);

Exhibit A, Scope of Service, be amended to include the following under A.2

- Funding to support a scheduling coordinator position for determining trip eligibility, scheduling rides, trip coordination and other administrative responsibilities.
- Funding to support a dispatcher position to manage and dispatch trip requests, driver assignments, report requirements and other administrative responsibilities.

Exhibit B, Budget, shall be revised to include an additional \$124,970 of FTA Section 5310 Formula funds for State Fiscal Year 2017 for a revised contract total of \$423,770.

All other provisions of the agreement shall remain in effect.

Amended Exhibit B, Budget appears below.

EXHIBIT B BUDGET - REVISED

B.1. The Contract price, as defined in Section 1.8 of the General Provisions, is the FTA Section 5310 portion of the eligible project. Federal funds are granted as follows:

Region 8 Greater Manchester	SFY 2016	SFY 2017
5310 Purchase of Service	\$120,260	\$120,260
5310 Formula	\$ 58,280	\$124,970
Total Federal Funds	\$178,540	\$245,230

Southern New Hampshire Planning Commission

By: David J. Preece Date: 4/7/16

Title: Executive Director / CEO

Signature: [Signature]

County of Hillsborough

On this the 7th day of April, 2016, before me, Linda Moore, the undersigned officer, personally appeared David J. Preece, 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.



Linda Moore
Notary Public/Justice of the Peace

NH Department of Transportation

By: Patrick C. Herlihy Date: 4/27/16

Title: Director

Signature: [Signature]

Approved by Attorney General

By: Dianne Mart Date: 5/3/16

Title: Assistant Attorney General

Signature: [Signature]

Approved by Governor and Council

By: _____

Date: _____

CERTIFICATE

I, Karen S. McGinley, Chairman of the Southern New Hampshire Planning Commission (Printed Name of Certifying Officer) (SNHPC), do hereby certify that: (1) I am the duly elected Chairman; (2) at the meeting held on April 7, 2016, the SNHPC voted to enter into a contract agreement with the NH Department of Transportation; (3) the SNHPC further authorized the Executive Director to execute any documents which may be necessary for this contract; (4) 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 (5) the following person has been appointed to and now occupies the office indicated in (3) above:

David Preece
(Printed name of officer authorized to sign)

IN WITNESS WHEREOF, I have hereunto set my hand as the Chairman of the SNHPC, this 7th day of April.

Karen S. McGinley
(Signature of Certifying Officer)

STATE OF NEW HAMPSHIRE
County of Hillsborough

On this the 7th day of April 2016, before me Linda Moore
(Notary Public)

the undersigned officer, personally appeared Karen S. McGinley who acknowledged
(Printed Name of Certifying Officer)

herself to be the Chairman of the SNHPC 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.

Linda Moore
(Notary Public Signature)

Commission Expiration Date: 9/3/19
(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: Southern New Hampshire Planning Commission 438 Dubuque Street Manchester, NH 03102		Member Number: 525	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, If Not:		
<input checked="" type="checkbox"/> General Liability (Occurrence Form) <input type="checkbox"/> Professional Liability (describe) <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence	1/1/2015	1/1/2016	Each Occurrence	\$ 5,000,000	
	1/1/2016	1/1/2017	General Aggregate	\$ 5,000,000	
			Fire Damage (Any one fire)		
			Med Exp (Any one person)		
<input checked="" type="checkbox"/> Automobile Liability Deductible Comp and Coll: \$1,000 <input type="checkbox"/> Any auto	1/1/2015	1/1/2016	Combined Single Limit (Each Accident)	\$5,000,000	
	1/1/2016	1/1/2017	Aggregate	\$5,000,000	
<input checked="" type="checkbox"/> Workers' Compensation & Employers' Liability	1/1/2015	1/1/2016	<input checked="" type="checkbox"/> Statutory		
	1/1/2016	1/1/2017	Each Accident	\$2,000,000	
			Disease - Each Employee	\$2,000,000	
			Disease - Policy Limit		
<input checked="" type="checkbox"/> Property (Special Risk includes Fire and Theft)	1/1/2015	1/1/2016	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible: \$1,000	
	1/1/2016	1/1/2017			
Description: Proof of Primex Member coverage only.					

CERTIFICATE HOLDER:	Additional Covered Party	Loss Payee	Primex³ - NH Public Risk Management Exchange
State of New Hampshire Department of Transportation 7 Hazen Dr Concord, NH 03301			By: <i>Tammy Denver</i>
			Date: 12/23/2015 tdenver@nhprimex.org
			Please direct inquires to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax



CERTIFICATE OF COVERAGE

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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.

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: Southern New Hampshire Planning Commission 438 Dubuque Street Manchester, NH 03102		Member Number: 525	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) <input type="checkbox"/> Professional Liability (describe) <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence	1/1/2015	1/1/2016	Each Occurrence	\$ 1,000,000	
	1/1/2016	1/1/2017	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)		
			Aggregate		
<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)	Deductible:	
Description: In regards to FTA 5310 Purchase of Service Funds and Enhanced Mobility of Seniors and Individuals with Disabilities, 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.					

CERTIFICATE HOLDER:	<input checked="" type="checkbox"/>	Additional Covered Party	Loss Payee	Primex ³ – NH Public Risk Management Exchange
State of New Hampshire Department of Transportation 7 Hazen Dr Concord, NH 03301				By: <i>Tammy Denver</i>
				Date: 12/23/2015 tdenver@nhprimex.org Please direct inquires to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax



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



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**WILLIAM CASS, P.E.
ASSISTANT COMMISSIONER**

*Approved 5/29/15
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Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, NH 03301

Bureau of Rail & Transit
April 20, 2015

REQUESTED ACTION

Authorize the Department of Transportation to enter into an agreement with Southern New Hampshire Planning Commission (Vendor 154521), Manchester, NH, for an amount not to exceed \$298,800 for coordinated transportation services for seniors and individuals with disabilities, for the period July 1, 2015 through June 30, 2017, effective upon approval by Governor and Council. 100% Federal Funds.

Funding for this agreement is available in the fiscal year 2016 and 2017 budget, contingent upon the availability and continued appropriation of funds, with the authority to adjust encumbrances in each of the state fiscal years through the Budget Office if needed and justified.

	<u>FY 2016</u>	<u>FY 2017</u>
04-96-96-964010-2916		
Public Transportation		
072-500575 Grants to Non-Profits-Federal	\$178,540	\$120,260

EXPLANATION

Southern New Hampshire Planning Commission (SNHPC) has been awarded funding from the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) program. SNHPC is a recipient of both Section 5310 Purchase of Service program funds and Section 5310 Formula Funds to provide expanded transportation services in the Greater Manchester Regional Coordinating Council service area. SNHPC will act as the lead agency to purchase accessible demand response transportation services for seniors and individuals with disabilities in cooperation with the Region 8 Greater Manchester Regional Coordinating Council.

The Department has been working closely with the State Coordinating Council for Community Transportation to develop regional coordination of human services transportation, through nine designated regions. In January 2015, the Department announced the availability of federal funds for a two year period for Section 5310 Purchase of Service funds and one year for Section 5310 Formula Funds to support coordinated transportation services for seniors and individuals with disabilities. The available funds were allocated by region, according to a formula based on regional populations of residents over 65 and those between the ages of 5-64 with disabilities. Each individual Regional

Coordinating Council was responsible for conducting its own project solicitation, evaluation, and prioritization and then submitting one regional application for eligible Section 5310 Purchase of Service and Section 5310 Formula Funds projects through an approved lead agency. As required by FTA, all projects are identified in a locally developed coordinated public transit-human services transportation plan.

The Greater Manchester Regional Coordinating Council for Region 8 designated SNHPC as the lead agency to apply for both Section 5310 Purchase of Service and 5310 Formula Funds and has submitted a regional list of eligible projects as detailed in the region's contract. The program requires a twenty percent (20%) match, which will be provided by cash and eligible in-kind match.

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 2016 and 2017 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,



William Cass, P.E.
Assistant Commissioner

Attachments