



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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
June 17, 2014

Sole Source

REQUESTED ACTION

Authorize the Department of Transportation to enter into a **sole source** contract amendment with Contoocook Valley Transportation Company (CVTC), Vendor 167604, Peterborough, New Hampshire, to increase the contract amount by \$48,612 from \$48,612 to \$97,224 for coordinated transportation services for elderly persons and persons with disabilities, effective upon Governor and Council approval through June 30, 2015. The original agreement was approved by Governor and Council on June 5, 2013, Item #232. 100% Federal Funds.

Funding is available as follows:

	<u>FY 2015</u>
04-96-96-964010-2916	
Public Transportation	
072-500575 Grants to Non-Profit-Federal	\$48,612

EXPLANATION

The Department has approved a request for additional Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds from CVTC to support expanded transportation services in the Monadnock Region Coordinating Council service area. This **sole source** contract amendment is based on the availability of additional funds that the Department has sub allocated to each Regional Coordinating Council through a formula apportionment. Since CVTC has been designated by the Region 5-6 Coordinating Council as the lead agency for SFY 2014-2015 FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities activities in their region, this contract is proposed to be amended to include these additional funds. CVTC will continue to act as the lead agency to manage an accessible volunteer driver transportation program that includes mileage reimbursement in thirteen towns of the Monadnock Regional Coordinating Council service area.

The Department entered into a two-year contract with CVTC for the period July 1, 2013 to June 30, 2015. FTA Federal Fiscal Year 2013 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds were committed for State Fiscal Year 2014 and no funds were included for the second year of the contract at that time. Budgeted Federal funds are available to provide Section

5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds that the Department has sub allocated by regions for State Fiscal Year 2015. This contract amendment is reflective of the allocation made available to the region that Contoocook Valley Transportation Company represents and provides \$48,612 for the second year (SFY 2015) of the two-year agreement. The non-federal required match will be provided by cash and eligible in-kind match through the lead agency. In consultation with FTA Region 1 staff and in accordance with Office of Management and Budget (OMB) guidelines, including OMB Circulars A-122 and A-110, the Department developed an "In-Kind Match Memo" in January of 2012 that subrecipients are required to follow. Additionally, the Department annually publishes a "5310 Q&A" document that provides supplemental information on in-kind match. Included within this Q&A document are limitations and maximum rates (for volunteer driver time, for instance) that the Department has placed on eligible in-kind match. Documentation of in-kind match is subject to review by the Department during a compliance review or audit.

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 "M. D. WT".

Christopher D. Clement, Sr.
Commissioner

Attachments

AMENDMENT TO AGREEMENT

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation and Contoocook Valley Transportation Company (CVTC) on June 5, 2013, (Item #232) effective July 1, 2013 through June 30, 2015;

WHEREAS, the Price Limitation in Section 1.8, is \$48,612, and Exhibit A describes the Scope of Work and Exhibit B describes the budget;

WHEREAS, Exhibit A, Scope of Work, first paragraph reads, "The Contractor, Contoocook Valley Transportation Company, will provide transportation services as described in its Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant application to NHDOT for Region 5/6 Monadnock RCC.";

WHEREAS, Exhibit B, Budget, B.2 reads, "The Contractor may seek reimbursement for these funds by submitting a monthly or quarterly invoice to the Department's Bureau of Rail & Transit for the total eligible Mobility Management expenses less a 20% agency match and total eligible Operating expenses less a 50% agency match. The invoice will include verification of sources of amounts of matching funds to support the request.";

WHEREAS, the Department of Transportation has available Federal funds for the Federal Transit Administration 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, \$97,224 (increase of \$48,612).

Exhibit A, Scope of Work, first paragraph be amended to read, "The Contractor, Contoocook Valley Transportation Company, will provide accessible transportation services as described in its Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant application to NHDOT for Region 5/6 Monadnock RCC."

Exhibit B, Budget, shall be revised to include \$42,183 of FTA Section 5310 Formula Mobility Management and \$6,429 operating funds for State Fiscal Year 2015 for a revised contract total of \$97,224.

Exhibit B, Budget, B.2 be amended to read, "The Contractor may seek reimbursement for these funds by submitting a monthly or quarterly invoice to the Department's Bureau of Rail & Transit for the total eligible expenses less required local match. The invoice will include verification of sources of amounts of matching funds to support the request."

All other provisions of the agreement shall remain in effect.

EXHIBIT A

SCOPE OF WORK

The Contractor, Contoocook Valley Transportation Company, will provide accessible transportation services as described in its Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant application to NHDOT for Region 5/6 Monadnock RCC.

A.1 The Contractor will act as the lead agency for Region 5/6 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds to provide transportation services to elderly individuals and individuals with disabilities in the thirteen towns of the Eastern Monadnock Region to include Antrim, Bennington, Dublin, Frankestown, Greenfield, Greenville, Hancock, Jaffrey, New Ipswich, Peterborough, Rindge, Sharon and Temple in cooperation with the Region 5/6 Monadnock Regional Coordinating Council. Transportation services provided include:

- Mobility management activities including management of an accessible volunteer driver transportation program that includes mileage reimbursement.

EXHIBIT B

BUDGET

REVISED

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

<u>Section 5310 Formula Funds</u>	<u>FY 2014</u>	<u>FY 2015</u>
Mobility Management	\$40,374	\$42,183
Operating	<u>\$ 8,238</u>	<u>\$ 6,429</u>
TOTAL	\$48,612	\$48,612

B.2 The Contractor may seek reimbursement for these funds by submitting a monthly or quarterly invoice to the Department's Bureau of Rail & Transit for the total eligible expenses less required local match. The invoice will include verification of sources of amounts of matching funds to support the request.

B.3 Contract completion date is June 30, 2015.

Contoocook Valley Transportation Company

By: Ellen Avery Date: MAY 8, 2014

Title: EXECUTIVE DIRECTOR

Signature: [Handwritten Signature]

State: New Hampshire
County of Cheshire

On this the 8 day of May, 2014, before me, Sharon Dubriel, the undersigned officer, personally appeared Ellen Avery, 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

SHARON L DUBRUIEL, Notary Public
My Commission Expires February 20, 2018

NH Department of Transportation

By: [Handwritten Signature] Date: 5/13/14

Title: Director

Signature: [Handwritten Signature]

Approved by Attorney General

By: Brian Buonamano Date: 6/11/14

Title: AAG

Signature: [Handwritten Signature]

Approved by Governor and Council

By: _____ 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 Contoocook Valley Transportation Company is a New Hampshire nonprofit corporation formed September 3, 2008. I further certify that it is in good standing as far as this office is concerned, having filed the return(s) and paid the fees required by law.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 9th day of May A.D. 2014

A handwritten signature in cursive script, appearing to read "William M. Gardner".

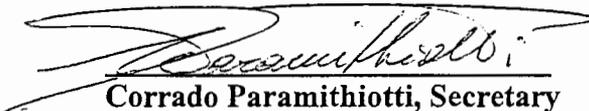
William M. Gardner
Secretary of State

CERTIFICATE OF CORPORATE VOTE

I, Corrado Paramithiotti, Secretary of the Contoocook Valley Transportation Company, do hereby certify that:

1. Pursuant to Article V, Section 4 of the bylaws of the Contoocook Valley Transportation Company, the Directors of the Corporation unanimously consented in writing or by email dated no later than May 8th, 2014 that a vote to authorize Ellen Avery, Executive Director of the Corporation, to execute a contract with the New Hampshire Department of Transportation on behalf of the Corporation, may be conducted without a meeting of the Board of Directors. Pursuant to the bylaws, said written or emailed votes have been submitted to the President of the Corporation and recorded in the corporate records at the offices of the corporation located at 375 Jaffrey Road, Peterborough, NH.
2. The Directors of the Corporation unanimously voted in writing or by email dated no later than May 8th 2014, to authorize Ellen Avery, Executive Director of the Corporation, to execute a contract with New Hampshire Department of Transportation on behalf of the Corporation. Pursuant to the bylaws, said written or emailed votes have been submitted to the President of the Corporation and recorded in the corporate records at the offices of the corporation located at 375 Jaffrey Road, Peterborough, NH.

A true copy of the record,
ATTEST:


Corrado Paramithiotti, Secretary
Contoocook Valley Transportation Company

STATE OF NEW HAMPSHIRE
COUNTY OF CHESHIRE

On May 8, 2014, before the undersigned officer personally appeared the person identified in the foregoing certificate, known to me to be the Secretary of the corporation identified in the foregoing certificate, and acknowledged that she executed the foregoing certificate.

In witness whereof I hereunto set my hand and official seal.


Notary Public/Justice of the Peace
SHARON L. DUBRUIEL, Notary Public
My Commission Expires February 20, 2016

May 8 2014
Date

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/21/2014

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 Bellows-Nichols Agency, Inc. 10 Main Street P. O. Box 299 Peterborough, NH 03458-0299	CONTACT NAME: Julia K. Letourneau PHONE (A/C, No, Ext): 603.924.7155 FAX (A/C, No): 603.924.9173 E-MAIL ADDRESS: PRODUCER CUSTOMER ID #:														
INSURED Contoocook Valley Transportation Company 375 Jaffrey Road, Ste 3 Peterborough, NH 03458	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A: Philadelphia Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B: FirstComp</td> <td></td> </tr> <tr> <td>INSURER C: Mount Vernon Fire Insurance Co</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Philadelphia Insurance Company		INSURER B: FirstComp		INSURER C: Mount Vernon Fire Insurance Co		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: Philadelphia Insurance Company															
INSURER B: FirstComp															
INSURER C: Mount Vernon Fire Insurance Co															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES **CERTIFICATE NUMBER: 13-14/14-15 MASTER** **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 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 SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X	PHPK1082044	10/22/2013	10/22/2014	EACH OCCURRENCE \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> 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					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
A	AUTOMOBILE LIABILITY	X	PHPK1082044	10/22/2013	10/22/2014	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS					BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	WC0103678-05 COVERAGE FOR NH	01/12/2014	01/12/2015	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
C	DIRECTORS & OFFICERS LIABILITY		NDO2009883E	01/26/2014	01/26/2015	\$1,000,000 ANNUAL AGGREGATE \$1,000,000 PER CLAIM

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

EXCLUDED OFFICERS: Kenneth Geraghty / Sam LaFortune / Matt Waitkins / Pamela Taylor

NOTE: The State of NH, Department of Transportation is named as a Cert Holder & Additional Insured.

CERTIFICATE HOLDER State of New Hampshire Department of Transportation Bureau of Rail & Transit P.O. Box 483 7 Hazen Drive 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  Julia K. Letourneau
--	---

ADDITIONAL REMARKS SCHEDULE

AGENCY Bellows-Nichols Agency, Inc.		NAMED INSURED Contoocook Valley Transportation Company Peterborough, NH 03458	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
 FORM NUMBER: 25 FORM TITLE: ACORD Certificate of Liability Insurance

Garage Liability

INSR ADD'L LTR INSRD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$

Automobile Liability

INSR ADD'L LTR INSRD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)
A X			

Excess/Umbrella Liability

INSR ADD'L LTR INSRD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
				\$

Other Liability

INSR LTR	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
C				



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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 25, 2013

Approved 6/5/13
JHM 232

REQUESTED ACTION

Authorize the Department of Transportation to enter into an agreement with Contoocook Valley Transportation Company, (Vendor # 167604), Peterborough, NH, for an amount not to exceed \$48,612 for coordinated transportation services for elderly persons and persons with disabilities, for the period July 1, 2013 through June 30, 2015, effective upon approval by Governor and Council. 100% Federal Funds.

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

	<u>FY 2014</u>
04-96-96-964010-2916	
Public Transportation	
072-500575 Grants to Non-Profits-Federal	\$48,612

EXPLANATION

The Department has approved a request for Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds to Contoocook Valley Transportation Company to support expanded transportation services in the Monadnock Region Coordinating Council service area. Contoocook Valley Transportation Company will act as the Lead Agency to provide mobility management activities including the management of an accessible volunteer driver transportation program that includes mileage reimbursement, in the thirteen towns of the Eastern Monadnock Region to include Antrim, Bennington, Dublin, Frankestown, Greenfield, Greenville, Hancock, Jaffrey, New Ipswich, Peterborough, Rindge, Sharon and Temple, in cooperation with the Monadnock 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 2013, the Department announced the availability of Federal funds to support coordinated transportation services for elderly persons and persons 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 Enhanced Mobility of Seniors and Individuals with Disabilities formula fund projects through an approved Lead Agency. As is required by FTA, all projects are identified in a locally developed coordinated public transit - human services transportation plan.

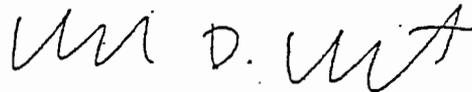
The Monadnock Regional Coordinating Council designated Contoocook Valley Transportation Company as the Lead Agency to apply for Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds and has submitted a regional list of eligible projects as detailed in the region's contract. The program requires a twenty percent (20%) match for mobility management activities, which will be provided by cash match, and fifty percent (50%) match for operating, which will be provided by 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 2014 and 2015 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,

A handwritten signature in black ink, appearing to read "C. D. Clement, Sr.", written in a cursive style.

Christopher D. Clement, Sr.
Commissioner

Attachments