



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
October 13, 2014

REQUESTED ACTION

Authorize the Department of Transportation to enter into a **sole source** contract amendment with North Country Council, Inc. (Vendor 177235), Bethlehem, New Hampshire, to increase the contract amount by \$10,166 from \$330,271 to \$340,437 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 #236 and amended June 18, 2014, Item #173. 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	\$10,166

EXPLANATION

The Department entered into a two-year contract with North Country Council, Inc. for the period July 1, 2013 to June 30, 2015 using committed FTA Section 5310 Purchase of Service funds and Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds for expanded transportation services in the Region 1 and Region 2 Coordinating Council service areas. This **sole source** contract amendment is based on the availability of additional budgeted Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds that were inadvertently excluded in the amendment approved on June 18, 2014 (Item #173). This proposed amendment is reflective of the total allocation made available to the regions North Country Council represents and includes an additional \$10,166 for the second year (SFY 2015) of the two-year agreement.

The Region 1, Grafton-Coos and Region 2, Carroll County Coordinating Council designated North Country Council as the lead agency for SFY 2014-2015 FTA Section 5310 purchase of service and 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula activities in their regions. North Country Council, Inc. will purchase accessible demand response, public transit and volunteer driver transportation service for elderly individuals and individuals with disabilities in cooperation with the

Grafton-Coos and Carroll County Regional Coordinating Councils. The 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula program requires a twenty percent (20%) match, which will be provided by cash and eligible in-kind match through the lead agency and regional transportation providers.

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 "C.D. Clement, Sr.", with a stylized flourish at the end.

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 North Country Council on June 5, 2013, (Item #236) and amended June 18, 2014, (Item #173) effective upon Governor and Council through June 30, 2015;

WHEREAS, the Price Limitation in Section 1.8, as amended, is \$330,271 and Exhibit A, as amended, describes the Scope of Work and Exhibit B, as amended, describes the budget;

WHEREAS, the Department of Transportation has available Federal funds for the Federal Transit Administration Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula program;

RESOLVED, that the agreement be amended as follows:

Page 1, Section 1.8, "Price Limitation" of the P-37 form be amended to read \$340,437 (increase of \$10,166);

Exhibit B, Budget, be revised to include \$10,166 of FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds for Region 1 Grafton-Coos for State Fiscal Year 2015 for a revised contract total of \$340,437.

All other provisions of the agreement shall remain in effect.

North Country Council

By: Christine Frost Date: 9/5/14

Title: Executive Director

Signature: [Handwritten Signature]

County of Grafton, NH

On this the 5th day of September, 2014, before me, JAMES STEELE, the undersigned officer, personally appeared CHRISTINE FROST, 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



NH Department of Transportation

By: Francis C. Herlihy

Date: 9/18/14

Title: Director

Signature: [Handwritten Signature]

Approved by Attorney General

By: Matthew Bonthead

Date: 10/6/14

Title: Attorney

Signature: [Handwritten Signature]

Approved by Governor and Council

By: _____

Date: _____

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>Region 1 Grafton Coos</u>	<u>SFY 2014</u>	<u>REVISED SFY 2015</u>
Purchase of Service	\$117,996	\$111,713
Mobility Management	\$6,210	\$5,880
5310 Formula		<u>\$73,532</u>
Total Federal Funds	<u>\$124,206</u>	<u>\$191,125</u>

<u>Region 2 Carroll County</u>	<u>SFY 2015</u>
5310 Formula	\$25,106

B.2 The Contractor may seek reimbursement for these funds by submitting a monthly or quarterly invoice for the total eligible expenses less required local match to the Department's Bureau of Rail & Transit. The invoice will include verification of sources of amounts of matching funds and statements from service providers to support the request. Administration costs shall be itemized and include such information as required to support the request.

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

EXHIBIT C

SPECIAL PROVISIONS

North Country Council does not need a Certificate of Good Standing because they are a “political subdivision” of the State per RSA Chapter 36:49-a.

Certificate of Vote

I **Vickie DeLalla, Treasurer** of North Country Council, Inc. (hereinafter the "Council") do hereby certify that: 1) I am the duly elected and acting Treasurer of the Council, a regional planning commission pursuant to the laws of the State of New Hampshire (RSA 36:45-53); 2) I sign and maintain and am familiar with documents of the Council; 3) I am duly authorized to issue certificates with respect to the contents of minutes of the Council; 4) at the Board of Directors meeting held on April 9, 2014, the Council voted to accept funds and enter into contracts with the Department of Transportation for 5310 Purchase of Service, Mobility Management and 5310 Formula funding for the purpose of accepting funds from NHDOT to provide services to our region.

The Council further approved **Christine Frost, Executive Director** to authorize any documents which may be necessary to effectuate this contract; a) 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 b) the following person has been appointed to and now occupies the title of Executive Director:

Christine Frost, Executive Director

Name and Title of person authorized to sign

In Witness whereof, I have hereunto set my hand as the **Treasurer** of the Council, this:

30th day of April, 2014

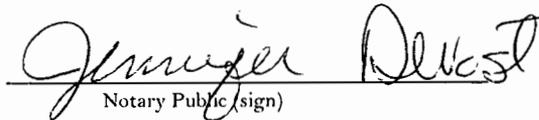

Vickie DeLalla, Treasurer

On this the **5th day of September, 2014**, before me Jennifer Devost the
Notary Public (print)

undersigned officer, personally appeared **Vickie DeLalla** who acknowledged herself to be the **Treasurer** of the Council, being authorized to do so, executed the foregoing instrument for the purpose therein contained.

In _____ set my hand and the official seal.




Notary Public (sign)

Commission Expiration Date:



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.

<i>Participating Member:</i> North Country Council 107 Glessner Road Bethlehem, NH 03574	<i>Member Number:</i> 576	<i>Company Affording Coverage:</i> NH Public Risk Management Exchange - Primex ³ Bow Brook Place 46 Donovan Street Concord, NH 03301-2624
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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) Professional Liability (describe) <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence	7/1/2014	7/1/2015	Each Occurrence \$ 1,000,000
			General Aggregate \$ 2,000,000
			Fire Damage (Any one fire) \$
			Med Exp (Any one person) \$
<input type="checkbox"/> Automobile Liability Deductible Comp and Coll: \$1,000 <input type="checkbox"/> Any auto			Combined Single Limit (Each Accident) \$ Aggregate \$
<input type="checkbox"/> Workers' Compensation & Employers' Liability			<input type="checkbox"/> 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)

Description: In regards to the Agreement dated April 16, 2013 between NHDOT and North Country Council, 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	Primex³ - NH Public Risk Management Exchange
NHDOT John O. Morton Building 7 Hazen Drive P.O. Box 483 Concord, NH 03302-0483					By: <i>Tammy Denver</i>
					Date: 9/15/2014 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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173

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
May 29, 2014

Approved: [Signature]
J. Brillhart

Sole Source

REQUESTED ACTION

Authorize the Department of Transportation to enter into a **sole source** contract amendment with North Country Council, Inc. (Vendor 177235), Bethlehem, New Hampshire, to increase the contract amount by \$206,065 from \$124,206 to \$330,271 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 #236. 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	\$206,065

EXPLANATION

The Department has approved a request for additional Federal Transit Administration (FTA) funds from North Country Council, Inc. for expanded transportation services to include Section 5310 Purchase of Service funding for Region 1, Grafton-Coos Regional Coordinating Council service area and Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula funds for Region 1, Grafton-Coos, and Region 2, Carroll County, Regional Coordinating Council service areas. 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 North Country Council has been designated by the Region 1 and Region 2 Coordinating Council as the lead agency for SFY 2014-2015 FTA Section 5310 purchase of service and 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula activities in their regions, this contract is proposed to be amended to include these additional funds. North Country Council, Inc. will continue to act as the lead agency to purchase accessible demand response, public transit and volunteer driver transportation service for elderly individuals and individuals with disabilities in cooperation with the Grafton-Coos and Carroll County Regional Coordinating Councils.

The Department entered into a two-year contract with the North Country Council, Inc. for the period July 1, 2013 to June 30, 2015. FTA Federal Fiscal Year 2013 Section 5310 Purchase of Service 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 Purchase of Service funds and 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 regions North Country Council represents and provides \$206,065 for the second year (SFY 2015) of the two-year agreement. Both FTA programs require a twenty percent (20%) match, which will be provided by cash and eligible in-kind match through the lead agency and regional transportation providers. 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.

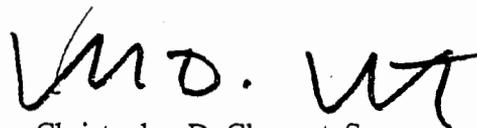
In the event that Federal funds become unavailable, general funds will not be requested to support this program.

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 "C.D. Clement, Sr.", written in a cursive style.

Christopher D. Clement, Sr.
Commissioner

Attachments



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 24, 2013

Approved 6/5/13
EIM 236

REQUESTED ACTION

Authorize the Department of Transportation to enter into an agreement with North Country Council, Inc., (Vendor #177235), Bethlehem, New Hampshire, for an amount not to exceed \$124,206 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.

FY 2014

04-96-96-964010-2916
Public Transportation
072-500575 Grants to Non-Profits-Federal \$124,206

EXPLANATION

The Department has approved a request for Federal Transit Administration (FTA) Section 5310 Purchase of Service funding to North Country Council for expanded transportation services in the Grafton-Coos Regional Coordinating Council service area. North Country Council will act as the Lead Agency to purchase accessible demand response and volunteer driver transportation service for elderly individuals and individuals with disabilities in cooperation with the Grafton-Coos Regional Coordinating Council service area.

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 5310 Purchase of Service 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 Grafton-Coos Regional Coordinating Council designated North Country Council as the Lead Agency to apply for 5310 Purchase of Service 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 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