

GOVERNOR AND EXECUTIVE COUNCIL AGENDA
New Hampshire National Guard, Edward Cross Training Complex, Pembroke, New Hampshire
October 7, 2020, 10:00 a.m.

CONSENT CALENDAR AGENDA

#1 **MOP 150, I, B (1): Expenditure Approvals** - NONE

#2 **MOP 150, I, B (2): Approval of Acceptances** - NONE

#3 **MOP 150, I, B (3): Reports and Findings**

INSURANCE DEPARTMENT

#A. Authorize to accept and place on file the 169th Annual Report for fiscal year 2020.

NEW HAMPSHIRE VETERANS HOME

#B. Authorize to accept and place on file the Annual Report for Fiscal Year 2020.

#4 **MOP 150, I, B (4): Nominations, Confirmations and Appointments**

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#A. Authorize the confirmation of Major Jillian M. Murray-Duchesne, New London, NH, to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#B. Authorize the confirmation of Major Brandon S. Lyon, Litchfield, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#C. Authorize the confirmation of Major Michael J. Blough, Rollinsford, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#D. Authorize the confirmation of Lieutenant Colonel Marie-Claude Bettencourt, Sunapee, NH, to the rank of Colonel, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#E. Authorize the confirmation of Major Daniel Kim, Stratham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#F. Authorize the nomination of Wayne F. Boutwell, Gilford, NH, for appointment to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#G. Authorize the nomination of Jason C. Richards, Portsmouth, NH, for appointment to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#H. Authorize the nomination of Major John R. Cuellar, Alexandria, VA, currently a member of the US Air Force, for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#I. Authorize the nomination of Timothy J. Manley, Clarksburg, MD, for appointment to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF JUSTICE

#J. Authorize to appoint Nathan W. Kenison-Marvin as an Attorney at a salary level of \$64,000. Effective upon G&C approval or October 9, 2020, whichever is later.

DEPARTMENT OF JUSTICE

#K. Authorize to appoint Meghan C. Hagaman as an Assistant Attorney General at a salary level of \$68,000. Effective upon G&C approval or October 9, 2020, whichever is later, through October 5, 2025.

DEPARTMENT OF JUSTICE

#L. Authorize to reappoint Scott D. Chase as an Assistant Attorney General at a salary level of \$71,000. Effective upon G&C approval or September 30, 2020, whichever is later, through September 30, 2025.

DEPARTMENT OF JUSTICE

#M. Authorize to appoint Stephanie J. Johnson as an Assistant Attorney General at a salary level of \$77,000. Effective upon G&C approval through August 15, 2023.

#5 **MOP 150, I, B (5): Other Items**

DEPARTMENT OF TRANSPORTATION

#A. Authorize the Bureau of Bridge Design to amend the Interstate Bridge Agreement with the State of Vermont which allows the Department to bill Vermont for costs associated with the design and construction of a new bridge (NH Br. No. 043/044) carrying NH Route 119 over the Connecticut River between Hinsdale, NH, and Brattleboro, VT. Effective upon G&C approval and continuing through engineering design, construction, inspection, and final acceptance of the completed project, in accordance with the Department's 10-Year Transportation Improvement Plan. The amendment modifies Section 2.d Constructions Costs and Section 3 Application of Federal Grants of the previously approved agreement.

DEPARTMENT OF TRANSPORTATION

#B. Authorize the Bureau of Materials & Research to enter into a second contract amendment with the City of Dover (originally approved by G&C on 2-6-19, item #15), to deploy a number of proven innovative technologies to better manage Dover's traffic signals, by extending the completion date to December 31, 2021 from January 31, 2021. No Additional Funding.

REGULAR AGENDA

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Commissioner

#6 Authorize to make a **retroactive** one-time payment from State Fiscal Year 2021 funds to Eva Reinemann, Sr General Counsel Specialist, in the amount of \$1,159.17 to compensate for wages that were not paid for State Fiscal Year 2020. **55% General, 41% Federal, 4% Agency Income (recovery admin fees) Funds.**

#7 Authorize to enter into a **sole source** contract with International Institute of New England Inc., Boston, MA, for social service programs that lead directly to self-sufficiency for refugees, in the amount of \$210,000. Effective upon G&C approval through September 30, 2022, with the option to renew for up to two additional years. **100% Federal Funds.**

Division of Public Health Services

#8 Authorize to amend an existing **sole source** contract with Community Health Access Network, Newmarket, NH (originally approved by G&C on 1-23-19, item #29), to continue improving prevention and management diabetes, prediabetes, high blood pressure, high cholesterol and arthritis, by exercising a contract renewal option by increasing the price by \$1,300,000 from \$892,078 to \$2,192,078, and by extending the completion date from June 29, 2021 to June 30, 2022. **100% Federal Funds.**

#9 Authorize to amend an existing **sole source** contract with Northern Human Services, Conway, NH (originally approved by G&C on 6-19-19, item #78B), to provide trainings in evidence based home visiting services for young children and families, by increasing the price by \$200,000 from \$100,000 to \$300,000, with no change to the completion date of June 30, 2021. **100% General Funds.**

#10 Authorize to enter into a **retroactive** contract with National Jewish Health, Denver, CO (originally approved by G&C on 6-24-20, item #40), for the provision of statewide telephonic tobacco treatment services to reduce tobacco use and dependence, with no change to the price of \$714,000 and no change to the completion date of June 30, 2022. **61% Federal, 39% General Funds.**

#11 Authorize to amend an existing agreement with ICF Macro Inc., Fairfax, VA (originally approved by G&C on 12-21-16, item #22), to continue conducting the annual Behavioral Risk Factor Surveillance System and Asthma Callback Surveys, by exercising a contract renewal option by increasing the price by \$1,215,720 from \$1,367,587 to \$2,583,307, and by extending the completion date from December 31, 2020 to December 31, 2022. **83% Federal, 8% General, 9% Other Funds (University of NH, Dartmouth Hitchcock and the Alzheimer's Association).**

#12 Authorize to **retroactively** amend an existing **sole source** contract with Biotage LLC, Charlotte, NC (originally approved by G&C on 6-21-17, item #51B), for continued service and repair of the Extrahera automated laboratory system, by exercising a renewal option, by increasing the price by \$29,944 from \$33,273 to \$63,217 and by extending the completion date from August 8, 2020 to August 8, 2023. **66% Federal, 32% General Funds.**

#12A Authorize to enter into contracts with the vendors as detailed in letter dated September 16, 2020, in an amount not to exceed \$787,000 for reimbursement for payment of educational loans through the State Loan Repayment Program. Effective upon G&C approval through September 30, 2022 for 24 month contract and September 30, 2023 for 36 months term contracts. **100% Other Funds from the NH Medical Malpractice Joint Underwriters Association.**

Division of Long Term Supports and Services

#12B Authorize to accept and expend Money Follows The Person Grant funds from the Centers for Medicare & Medicaid Services, in the amount of \$52,991. Effective upon G&C approval through June 30, 2021. **100% Federal Funds.**

#12C Authorize to accept and expend State Health Insurance Program Supplemental funds from the Administration For Community Living in the amount of \$36,414. Effective upon G&C approval through June 30, 2021. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

#13 Authorize the Bureau of Right of Way to sell 0.2 +/- acre of State-owned land to JW Mac Home Improvements LLC (Grantee). The property is improved with a six-unit condominium building in the Town of Conway. The approved price for the property is \$339,100 which includes a \$1,100 Administrative Fee. Effective upon G&C approval. Originally purchased with 100% Federal Funds.

#14 Authorize the Division of Operations to accept and expend revenue in the amount of \$20,000 from the sale of oversize overweight permits. Effective upon G&C approval through June 30, 2021. **100% Agency Income.**

#15 Authorize the Bureau of Right of Way to pay property owners \$46,875.50 as documented in the Contemplated Awards List, for amounts greater than \$5,000 for the period extending from August 5, 2020 through August 17, 2020. Effective upon G&C approval.

#16 Authorize the Bureau of Right of Way to pay a property owner \$16,150 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from August 20, 2020 through August 31, 2020. Effective upon G&C approval.

#17 Authorize the Bureau of Bridge Maintenance to enter into a contract with Northeast Integration LLC, Portsmouth, NH, to provide all labor, materials, equipment and transportation necessary to perform programmable logic controller services, for the State of NH, Department of Transportation for work that includes maintenance, repairs, and system upgrades to control systems for the Sarah Mildred Long Bridge, the Memorial Bridge, and Various Bridges statewide, based on a single hourly rate bid in the amount of \$75,000. Effective upon G&C approval through June 30, 2023. **68% Highway, 32% Other Funds.**

#18 Authorize the Bureau of Bridge Design to enter into an Interstate Bridge Agreement with the State of Vermont to allow the Department to bill Vermont for costs associated with bridge rehabilitation efforts on the bridge (NH Br. No. 109/134) carrying NH Route 18 over the Connecticut River between Littleton NH and Waterford, VT. Effective upon G&C approval and continuing through engineering design, construction, inspection, and final acceptance of the completed project, in accordance with the Department's 10-Year Transportation Improvement Plan. **(Project costs will be shared 67% NH, 33% VT).**

#19 Authorize the Bureau of Bridge Design to enter into an agreement with DuBois & King Inc., Bedford, NH, for the detailed inspection, preliminary design, public involvement process, associated environmental & cultural services for the rehabilitation of the bridge carrying NH Route 18 over the Connecticut River between Littleton, NH and Waterford, VT, for a total amount not to exceed \$405,410.36. Effective upon G&C approval through June 30, 2023. **Project costs will be shared 67% NH, 33% VT with NH Funds 100% Federal.**

#20 Authorize the Bureau of Environment to enter into a **sole source** agreement with Bear-Paw Regional Greenways, Deerfield, NH, for \$108,370, for the purchase and stewardship of a conservation easement deed for the protection of 100+/-acres in Barnstead, NH, as mitigation for wetland impacts associated with the Barnstead 14121 project (reconstruction of the NH Route 28/North Road/North Barnstead Road intersection to improve safety and traffic flow, as well as improve sight distance). Effective upon G&C approval through June 30, 2021. **100% Federal Funds.**

#21 Authorize the Bureau of Environment to enter into an agreement with GZA GeoEnvironmental Inc., Bedford, NH, for on-call environmental/wetlands-related services with a focus on coastal wetlands and resources for Department projects and activities at various locations statewide, for an amount not to exceed \$400,000. Effective upon G&C approval through October 31, 2023.

#22 Authorize the Bureau of Construction to enter into a contract with Busby Construction Co., Inc., Atkinson, NH, for removal of the Exit 11 toll plaza, on the basis of a low bid of \$577,724.50. Effective upon G&C approval through December 18, 2020. **100% Turnpike Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#23 Authorize, under the Community Block Grant program, to award a grant to the County of Cheshire, Keene, NH, in the amount of \$454,865 for the purpose of assisting three organizations to provide microenterprise training and technical assistance activities. Effective October 7, 2020 through June 30, 2021. **100% Federal Funds.**

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

#23A Authorize to **retroactively** accept and expend an additional \$95,315 for salary and benefit enhancements for OPLC pharmacists who administratively support the Board of Pharmacy. Effective upon G&C approval through June 30, 2021. **100% Agency Income.** (2) Further authorize the continued 68% enhancement for these pharmacist positions through June 30, 2021 while OPLC works with the Department of Administrative Services, Director of Personnel, to move these positions from classified to unclassified positions prior to the expiration of the above requested extension (approved by G&C since 9/22/07).

OFFICE OF STRATEGIC INITIATIVES

#24 Authorize to enter into a contract with Smart Energy Use LLC, Meredith, NH, to provide field training and technical assistance services for the federally funded NH Weatherization Assistance Program, in an amount not to exceed \$38,000. Effective upon G&C approval through June 30, 2022. **100% Federal Funds.**

NEW HAMPSHIRE COUNCIL ON DEVELOPMENTAL DISABILITIES

#25 Authorize to **retroactively** pay the National Association of Councils on Developmental Disabilities, Washington, DC, in the amount of \$4,515 for Fiscal Year 2021 membership dues. Effective October 1, 2020 through September 30, 2021. **100% Federal Funds.**

DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS

#26 Authorize to budget and expend \$14,301 of available revenue. Effective upon G&C approval through June 30, 2021. **100% Federal Funds.**

#27 Authorize to budget and expend \$17,698 of available revenue. Effective upon G&C approval through June 30, 2021. **100% Federal Funds.**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

#28 Authorize a salary increment for the Director of Historical Resources, Mr. Benjamin Wilson, from Grade EE, Step 3 \$76,047.40 to Grade EE, Step 4 \$80,448.16. Effective August 1, 2020, upon G&C approval.

#29 Authorize the Bureau of Trails to amend a Recreational Trails Program Grant with the Bow Pioneers Snowmobile Club (originally approved by G&C on 6-24-20, item #116), by increasing the price by \$7,852 from \$32,283.20 to \$40,135.20, with no change to the completion date of December 31, 2020. **100% Federal Funds.**

#30 Authorize the State Council on the Arts to enter into a **retroactive** amendment to an existing contract with artist Emily Boucher, Dover, NH (originally approved by G&C on 6-24-20, item #116A), in the amount of \$18,952 for creation of artwork for the Merrimack County Superior Court in Concord, NH, by extending the completion date from September 30, 2020 to March 31, 2021. **100% Other Funds (Agency Income).**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#31 Authorize a Clean Water State Revolving Fund loan agreement with the Town of Effingham, in an amount not to exceed \$75,000 to finance the Province Lake Drainage Improvement Analysis for Bailey Road. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#32 Authorize to award a Drinking Water and Groundwater Trust Fund grant to the Sanbornville Water Precinct, Sanbornville, NH, in an amount not to exceed \$100,000 test drilling of a new supply well. Effective upon G&C approval through July 1, 2021. **100% Drinking Water and Groundwater Trust Fund.**

#33 Authorize to enter into a grant agreement with the Pease Development Authority, for \$42,274 for the partial funding of a wheeled loader replacement. Effective upon G&C approval through May 1, 2021. **60% Federal, 40% VW Settlement Funds.**

#34 Authorize the City of Dover's request to amend Wetlands Permit #2019-00636 (originally approved by G&C on 10-23-19, item #64), to perform work on Bellamy River in Dover.

#35 Authorize Dexter-Thompson Welch Island LLC's request to perform work on Lake Winnepesaukee in Gilford.

NEW HAMPSHIRE VETERANS HOME

#35A Authorize to enter into a **sole source** contract with Eastern Pipe Services LLC, Bow, NH, to repair the Wildlife Pond that is classified as a DAM located on the grounds of the Home, in the amount of \$13,500. Effective upon G&C approval through June 30, 2021. **100% Other Funds.**

#36 NOT USED

DEPARTMENT OF JUSTICE

#37 Authorize to amend an existing subgrant with the NH Pro Bono Referral System, Concord, NH (originally approved by G&C on 12-18-19, item #187) for the purpose of maintaining and enhancing the subgrantee's Domestic Violence Emergency Project, by increasing the price by \$10,000 from \$40,000 to \$50,000. Effective upon G&C approval through March 31, 2021. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

#38 Authorize a Working Capital Warrant in the amount of \$450,000,000 to cover the payment of expenditures for the month of November 2020.

#39 Authorize the pay the National Association of State Auditors, Comptrollers and Treasurers, Lexington, KY, in an amount not to exceed \$3,500 for Fiscal Year 2021 membership dues, **retroactive** from July 1, 2020 through June 30, 2021. **100% General Funds.**

#40 Authorize the Division of Public Works Design and Construction to enter into a contract with J Hutchins Inc., Richmond, VT, for the repair and rehabilitation of the main access road to the Northern NH Correctional Facility and to construct drainage improvements to the facility's perimeter roadway in Berlin, for a total price not to exceed \$502,600. (2)Further authorize a contingency in the amount of \$7,712 for unanticipated and/or unforeseen site conditions or additional unanticipated work to complete the project, bringing the total to \$510,312. (3)Further authorize the amount of \$90,900 for the selection of contract alternates 1 and 2 for rehabilitation of the perimeter road and loading dock access improvement, bringing the total to \$601,212. (4)Further authorize the amount of \$24,702 for payment to the Department of Administrative Services, Division of Public Works Design and Construction for engineering services provided, bringing the total to \$625,914. Effective upon G&C approval through August 20, 2021. **100% Capital-General Funds.**

#41 Authorize the Division of Public Works Design and Construction to enter into a contract with Gerard A Laflamme Inc., Manchester, NH, for generators for Main Building, Thayer Building, Concord, NH, for a total price not to exceed \$427,600. (2)Further authorize the amount of \$30,000 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total to \$457,600. Effective upon G&C approval through October 31, 2021. **100% Capital-General Funds.**

#42 Authorize the Division of Public Works Design and Construction to enter into a contract with Glover Plumbing & Heating Service LLC, Barrington, NH, for the boiler upgrade at the Rochester Circuit Court, Rochester, NH, for an amount not to exceed \$168,750. (2)Further authorize a contingency in the amount of \$5,290 for unanticipated site expenses, bringing the total to \$174,040. (3)Further authorize the amount of \$6,852 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total to \$180,892. Effective upon G&C approval through December 7, 2020. **100% Capital-General Funds.**

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Informational Items

DEPARTMENT OF HEALTH AND HUMAN SERVICES

#A. Pursuant to RSA 4:45, RSA 21-P:43, and Section 4 of Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, and 2020-17, Governor Sununu has authorized the Department of Health and Human Services, Office of the Commissioner, to enter into a **Sole Source** amendment to an existing contract with Lakes Region Mental Health Center, Inc., Laconia, NH, for the provision of services to individuals experiencing homelessness who test positive for COVID-19, are awaiting COVID-19 test results, have had close contact with a person who has tested positive for COVID-19, or are referred for services by a health department, with no change to the price limitation of \$1,265,277 and no change to the contract completion date of December 31, 2020. **100% Federal Funds.**

#B. Pursuant to RSA 4:45, RSA 21-P:43, and Section 4 of Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, and 2020-17, Governor Sununu has authorized the Department of Health and Human Services, Division of Public Health Services, to enter into a **Retroactive, Sole Source** contract with NorDX, Scarborough, ME, in the amount of \$5,000,000 for COVID-19 surveillance testing at assisted living and other facilities, with the option to renew for up to one (1) additional year, effective retroactive to August 25, 2020, through December 31, 2020. **100% Federal Funds.**

#C. Pursuant to RSA 4:45, RSA 21-P:43, and Section 4 of Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, and 2020-17, Governor Sununu has authorized the Department of Health and Human Services, Division of Public Health Services, to enter into a **Retroactive, Sole Source** amendment to an existing agreement with National Foundation for the Centers for Disease Control and Prevention, Inc., Atlanta, GA, to continue to provide temporary employees to support the COVID-19 response in New Hampshire, at no cost to the State, by extending the completion date from July 31, 2020 to March 31, 2021, effective retroactive to July 31, 2020.

DEPARTMENT OF TRANSPORTATION

#D. Pursuant to RSA 4:45, RSA 21 -P:43, and Section 4 of Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17 and 2020-18 and suspend the Manual of Procedures 150, V., A., 5., requirement, Governor Sununu has authorized the Department of Transportation to enter into a contract with Concord Coach Lines, Inc., Concord, NH, for an amount not to exceed \$2,009,167.00 to provide emergency relief and offset a portion of Calendar Year 2020 net revenue losses arising from a temporary cessation of services and low ridership on their intercity and commuter bus services as a result of the COVID-19 Public Health Emergency. This contract is **retroactive** from March 1, 2020 through December 30, 2020.

#E. Pursuant to RSA 4:45, RSA 21-P:43, and Section 4 of Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17 and 2020-18 and suspend the Manual of Procedures 150, V., A., 5., requirement, Governor Sununu has authorized the Department of Transportation to enter into a contract with Jalbert Leasing, Inc. d/b/a C&J Bus Lines, Portsmouth, NH, for an amount not to exceed \$3,487,247.00 to provide emergency relief and offset a portion of Calendar Year 2020 net revenue losses arising from a temporary cessation of services and low ridership on their intercity and commuter bus services as a result of the COVID-19 Public Health Emergency. This contract is **retroactive** from March 1, 2020 through December 30, 2020.

#F. Pursuant to RSA 4:45, RSA 21-P:43, and Section 4 of Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17 and 2020-18 and suspend the Manual of Procedures 150, V., A., 5., requirement, Governor Sununu has authorized the Department of Transportation to enter into a contract with Dartmouth Transportation Company, Inc. d/b/a Dartmouth Coach, Concord, NH, for an amount not to exceed \$2,003,586.00 to provide emergency relief and offset a portion of Calendar Year 2020 net revenue losses arising from a temporary cessation of services and low ridership on their intercity and commuter bus services as a result of the COVID-19 Public Health Emergency. This contract is **retroactive** from March 1, 2020 through December 30, 2020.