



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 contract amendment with Community Action Programs Belknap-Merrimack Counties, Inc., Vendor #177203, Concord, NH, to increase the contract amount by \$56,400 from \$1,373,120 to \$1,429,520 for public transportation services in the Concord and Laconia areas, 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 #66. 100% Federal Funds.

Funding is available as follows:

	<u>FY 2017</u>
04-96-96-964010-2916	
Public Transportation	
072-500575 Grants to Non-Profit-Federal	\$56,400

**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 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 Community Action Programs Belknap-Merrimack Counties, Inc. (CAP Belknap-Merrimack Counties) has been designated by the Region 3 Mid-State 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.

CAP Belknap-Merrimack Counties is a recipient of both Section 5311 Formula funds and Section 5310 Formula funds to assist in the provision of transportation services for the general public and seniors and individuals with disabilities in Belknap and Merrimack Counties. The Department entered into a two-

year contract with CAP Belknap-Merrimack Counties for the period July 1, 2015 to June 30, 2017 and included SFY 2016 and 2017 Section 5311 Formula 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 CAP Belknap-Merrimack Counties represents, which is comprised of Belknap County, Merrimack County (excluding Hooksett), and the towns of Deering and Hillsborough from Hillsborough County, and provides \$56,400 (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 CAP Belknap-Merrimack Counties.

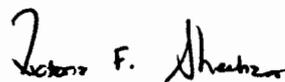
In the event that Federal funds become unavailable, general funds will not be requested to support this program.

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 that reads "Victoria F. Sheehan". The signature is written in a cursive style with a large initial "V".

Victoria F. Sheehan  
Commissioner

Attachments

**AMENDMENT TO AGREEMENT  
COMMUNITY ACTION PROGRAMS BELKNAP MERRIMACK COUNTIES, INC.**

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation (NHDOT) and Community Action Programs Belknep Merrimack Counties, Inc. (CAP Belknep-Merrimack Counties) on May 27, 2015, (Item #66) 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 \$1,373,120;

WHEREAS, Exhibit B describes the budget;

WHEREAS, the Department of Transportation has available Federal funds for the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities formula program (Section 5310 Formula) for Region 3, Mid State;

**RESOLVED, that the agreement be amended as follows:**

Section 1.8, "Price Limitation" of the P-37 form be amended to read \$1,429,520 (increase of \$56,400);

Exhibit B, Budget, shall be amended to include an additional \$56,400 of FTA Section 5310 Formula funds for State Fiscal Year 2017 for a revised contract total of \$1,429,520.

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 Section 5310 and 5311 portion of the eligible project costs. Federal funds are granted as follows:

<b>SECTION 5311</b>	<b>FY 2016 CONCORD</b>	<b>FY 2016 WTS</b>	<b>FY 2017 CONCORD</b>	<b>FY 2017 WTS</b>
Administration	\$262,472	\$25,806	\$262,472	\$25,806
Capital (PM)	\$77,252	\$9,074	\$77,252	\$9,074
Capital (ADA)	\$127,300		\$127,300	
Operating	\$125,506	\$30,950	\$125,506	\$30,950
<b>Sub Total</b>	<b>\$592,530</b>	<b>\$65,830</b>	<b>\$592,530</b>	<b>\$65,830</b>
<b>SECTION 5310 FORMULA Region 3 Mid-State</b>	<b>FY 2016</b>		<b>FY 2017</b>	
Mobility Management	\$26,400		\$26,400	
Operating	\$30,000		\$30,000	
<b>Sub Total</b>	<b>\$56,400</b>		<b>\$56,400</b>	
 <b>Total Federal Funds</b>	 <b>\$648,930</b>	 <b>\$65,830</b>	 <b>\$648,930</b>	 <b>\$65,830</b>

**Community Action Programs Belknap Merrimack Counties, Inc.**

By: Ralph Littlefield Date: April 6, 2016

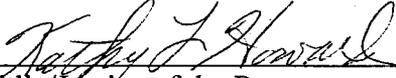
Title: Executive Director

Signature: 

County of Merrimack

On this the 6th day of April, 2016, before me, Kathy L. Howard, the undersigned officer, personally appeared Ralph Littlefield, 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.

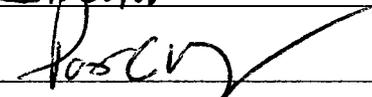
KATHY L. HOWARD Notary Public, New Hampshire  
My Commission Expires October 16, 2018

  
Notary Public/Justice of the Peace

**NH Department of Transportation**

By: James C. Hervey Date: 4/27/16

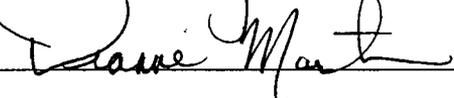
Title: Director

Signature: 

**Approved by Attorney General**

By: Dianne Martin Date: 5/3/16

Title: Assistant Attorney General

Signature: 

**Approved by Governor and Council**

By: \_\_\_\_\_ Date: \_\_\_\_\_

**EXHIBITS TO AMENDMENT**

CERTIFICATE OF GOOD STANDING

CERTIFICATE OF CORPORATE VOTE

CERTIFICATE OF INSURANCE

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 Community Action Program Belknap and Merrimack Counties, Inc. is a New Hampshire nonprofit corporation formed May 28, 1965. 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 5<sup>th</sup> day of April A.D. 2016

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

William M. Gardner  
Secretary of State

**Community Action Program Belknap-Merrimack Counties, Inc.**

**CERTIFICATE OF VOTE**

I, Dennis T. Martino, Secretary-Clerk of Community Action Program Belknap-Merrimack Counties, Inc. (hereinafter the "Corporation"), a New Hampshire corporation, hereby certify that: (1) I am the duly elected and acting Secretary-Clerk of the Corporation; (2) I maintain and have custody and am familiar with the minute books of the Corporation; (3) I am duly authorized to issue certificates with respect to the contents of such books; (4) that the Board of Directors of the Corporation have authorized, on 01/14/2016, such authority to be in force and effect until 6/30/2017 (contract termination date). (see attached)

The person(s) holding the below listed position(s) are authorized to execute and deliver on behalf of the Corporation any contract or other instrument for the sale of products and services:

Ralph Littlefield, Executive Director

(5) The meeting of the Board of Directors was held in accordance with New Hampshire, (state of incorporation) law and the by-laws of the Corporation; and (6) said authorization has not been modified, amended or rescinded and continues in full force and effect as of the date hereof. Excerpt of dated minutes or copy of article or section of authorizing by-law must be attached.

IN WITNESS WHEREOF, I have hereunto set my hand as the Clerk/Secretary of the corporation this 6th day of April, 2016.

  
Secretary-Clerk

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK

On this 6th day of April, 2016, before me, Kathy L. Howard the undersigned Officer, personally appeared Dennis T. Martino who acknowledged her/himself to be the Secretary-Clerk of Community Action Program Belknap-Merrimack Counties, Inc., a corporation and that she/he as such Secretary-Clerk being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
Kathy L. Howard, Notary Public  
Notary Public/Justice of the Peace

Commission Expiration Date:

**KATHY L. HOWARD** Notary Public, New Hampshire  
My Commission Expires October 16, 2018

COMMUNITY ACTION PROGRAM  
BELKNAP-MERRIMACK COUNTIES, INC.

**CORPORATE RESOLUTION**

The Board of Directors of Community Action Program Belknap-Merrimack Counties, Inc. authorizes the Executive Director, Budget Analyst, Chief Accountant, President, Vice-President(s) or Treasurer of the Agency to sign contracts and reports with the State of New Hampshire, Departments of the Federal Government, which include all federal #269 and #272 Forms, and public or private nonprofit agencies *including, but not limited to, the following:*

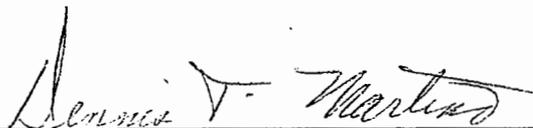
- Department of Administrative Services for food distribution programs
- Department of Education for nutrition programs
- Department of Health and Human Services
  - Bureau of Elderly and Adult Services for elderly programs
  - Bureau of Homeless and Housing Services for homeless/housing programs
  - Division of Children, Youth, and Families for child care programs
  - Division of Family Assistance for Community Services Block Grant
  - Division of Public Health Services for public health programs
- Department of Justice for child advocacy/therapy programs
- Department of Transportation-Public Transportation Bureau for transportation programs
- Public Utilities Commission for utility assistance programs
- Workforce Opportunity Council for employment and job training programs
- Department of Resources and Economic Development
- Governor's Office of Energy and Planning for Head Start, Low Income Energy Assistance, Weatherization and Block Grant programs
- New Hampshire Community Development Finance Authority
- New Hampshire Housing Finance Authority
- New Hampshire Secretary of State
- U. S. Department of Housing and Urban Development
- U. S. Department of the Treasury – Internal Revenue Service
- and other departments and divisions as required

This Resolution authorizes the signing of all supplementary and subsidiary documents necessary to executing the authorized contracts as well as any modifications or amendments relative to said contracts or agreements.

This Resolution was approved by the Board of Directors of Community Action Program Belknap-Merrimack Counties, Inc. on January 14, 2016, and has not been amended or revoked and remains in effect as of the date listed below.

4/06/2016

Date



Dennis T. Martino  
Secretary/Clerk

SEAL





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



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

Approved 5/27/15

Item 66

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

Bureau of Rail & Transit  
April 17, 2015

**REQUESTED ACTION**

Authorize the Department of Transportation to enter into an agreement with Community Action Programs Belknap-Merrimack Counties, Inc. (Vendor 177203), Concord, NH, for an amount not to exceed \$1,373,120 for public transportation services in the Concord and Laconia areas, 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	\$714,760	\$658,360

**EXPLANATION**

The Department has approved a request for Federal Transit Administration (FTA) funding from Community Action Programs Belknap-Merrimack Counties, Inc. to assist in the provision of public transit service. Community Action Programs Belknap-Merrimack Counties, Inc. is a private, non-profit organization that provides rural public transportation, including transportation for seniors and individuals with disabilities, in Concord as Concord Area Transit (CAT) and in the Laconia area as Winnepesaukee Transit System (WTS).

The bus schedules for Community Action Programs Belknap-Merrimack Counties, Inc. are attached to this Agreement.

The Department's proposed FY 2016 and 2017 operating budget includes funds from the FTA Section 5311 Formula Grants for Rural Areas Program (Section 5311) that provides funds for capital, planning, and operating assistance for public transportation in rural areas with populations of less than 50,000. Community Action Programs Belknap-Merrimack Counties, Inc. has provided public transportation utilizing these funds since 1993. The Department has allocated federal funding for the SFY 2016-2017 biennium based on prior funding levels, applications received, and available FTA funds. For the SFY 2016-2017 biennium, the FTA Section 5311 allocation for Community Action Programs Belknap-Merrimack Counties, Inc. is \$1,316,720.

Community Action Programs Belknap-Merrimack Counties, Inc. has also been awarded FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) formula program funds in the amount of \$56,400 for SFY 2016. These Section 5310 funds will fund a Regional Mobility Coordinator position and will expand the hours and days of service provided by the Rural Transportation program, which will offer additional transportation opportunities for seniors and individuals with disabilities in the Mid-State Regional Coordinating Council area. The Section 5310 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 projects through an approved lead agency. The Mid-State Regional Coordinating Council designated Community Action Programs Belknap-Merrimack Counties, Inc. as the lead agency to apply for the funds on behalf of the region. As required by FTA, this project is identified in a locally developed coordinated public transit-human services transportation plan.

Community Action Programs Belknap-Merrimack Counties, Inc. will provide the required matching funds for both the FTA Section 5311 and FTA Section 5310 programs to include 20% for administration and/or capital and 50% for operations.

The Department released a public notice on December 29, 2014 announcing the availability of FTA Section 5311 funds and applications were due on February 9, 2015. The Department received applications for seven (7) rural public transit systems and awarded funds to each transportation system. The seven (7) public transit systems are as follows:

<b>Transit System</b>	<b>Applicant</b>
Advance Transit (AT)	Advance Transit
Concord Area Transit (CAT)	Community Action Programs Belknap-Merrimack Counties
Winnepesaukee Transit System (WTS)	Community Action Programs Belknap-Merrimack Counties
Community Alliance Transportation Services (CATS)	Community Alliance for Human Services
City Express	VNA @ Home Healthcare, Hospice & Community Services
North Country Transit (NCT)	Tri-County Community Action Program
Carroll County Transit (CCT)	Tri-County Community Action Program

An evaluation committee that consisted of Frederick Butler (NHDOT Rail & Transit, Public Transportation Administrator), Michael Pouliot (NHDOT Rail & Transit, Transportation Specialist) and Carol Spottiswood (NHDOT Rail & Transit, Transportation Project Coordinator) reviewed, evaluated and scored Section 5311 applications based on criteria as indicated in the application materials and the Department's State Management Plans for FTA programs. Every application met the Department's criteria for inclusion in its SFY 2016-2017 public transit funding plan and will be awarded separate amounts for the aforementioned transit systems. The evaluation matrix and scores are provided below for reference:

<b>Evaluation Criteria</b>		<b>Weight</b>
1	The proposed service effectively addresses a demonstrated community need, and/or the proposed service is a continuation or expansion of existing services.	15%
2	The applicant has the fiscal and technical capacity and adequate budget to operate its service.	15%
3	The applicant has successful experience in providing transportation services.	15%
4	The application shows coordination with other transportation providers in the service area: public, nonprofit, and for-profit.	10%
5	The applicant demonstrates involvement in and support for the project, financial and otherwise, on the part of citizens and local government.	10%
6	The applicant demonstrates effort to involve the private sector in the delivery of transportation services.	10%
7	The applicant successfully demonstrates service efficiency and effectiveness, measured in ridership, service miles and hours, costs, and fare recovery. New applicants must demonstrate the ability to measure performance and achieve goals.	15%
8	The applicant complies with relevant federal and state regulations, and has a history of compliance with regulations and reporting requirements.	10%
		100%

<b>Transit System</b>	<b>Average Score</b>
Advance Transit	91.7%
Concord Area Transit	89.2%
Winnepesaukee Transit System	86.5%
Community Alliance Transportation Services	85.8%
City Express	86.3%
North Country Transit	82.0%
Carroll County Transit	86.3%

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