



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

Office of Federal Compliance
August 20, 2020

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the New Hampshire Department of Transportation (NHDOT) to accept and expend Federal revenue in the amount of \$485,194.00 from the Federal Highway Administration (FHWA) for the purpose of funding budgeted positions that support Federal programs within NHDOT. Effective upon the date of Fiscal Committee and Governor and Council approval through June 30, 2021. 100% Federal Funds.

In SFY 2021, funds shall be accepted and expended within 04-096-096-960315-2056 – Office of Federal Compliance, as follows:

Table with 5 columns: 04-096-096-960315-2056, Current Budget FY 2021, Requested Change Highway, Requested Change Federal, Revised Budget FY 2021. Rows include Office of Federal Compliance, Expenses, and various budget items like Personal Services Perm Class, Overtime, Current Expense, etc., ending with a Total row.

Source of Funds				
Revenue:				
000 409151 Federal Funds	\$93,250	\$0	\$485,194	\$578,444
00D 488502 Federal Funds	2,422	0	0	2,422
000 000015 Highway Funds	485,194	(485,194)	0	0
Total	\$580,866	(\$485,194)	\$485,194	\$580,866

EXPLANATION

The Department requests authorization to accept and expend \$485,194.00 from FHWA for the purpose of supplanting Highway Funds with Federal Funds to provide Federal compliance activities required by various Federal transportation agencies.

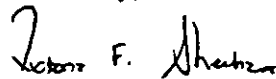
The New Hampshire Department of Transportation is a recipient of approximately \$204 Million in federal financial assistance from the FHWA, Federal Aviation Administration (FAA), and Federal Transit Administration (FTA). These funds serve as the primary funding sources for New Hampshire's Highway and Bridge Construction Programs, capital, operating and planning activities for transit programs and projects, and for planning, preservation, modernization and expansion of eligible airport facilities.

As a condition of receiving Federal financial assistance, all recipients are required to sign assurances of non-discrimination in all program areas. 23 CFR 200.9(b)(1) requires each recipient to establish a "civil rights unit" to enforce compliance with non-discrimination in all program activities. The CFR further requires that each civil rights unit be "adequately staffed" to effectively implement the department's responsibilities. At NHDOT, the Office of Federal Compliance, in the Commissioner's Office is established to comply with this provision.

No new positions are being requested and this action is to correct the funding source of these positions that were not funded correctly during the budget process. All positions are funded in the current budget with Highway Funds and the Department is requesting all positions and incidentals to support the Contractor Compliance program, Americans with Disabilities (ADA) program, Equal Employment Opportunity (EEO) program and the Disadvantaged Business (DBE) program at NHDOT, be funded with Federal funds (see attached organizational chart). This will ensure the Department meets compliance and audit standards for its Federal programs.

Your approval of this resolution is respectfully requested.

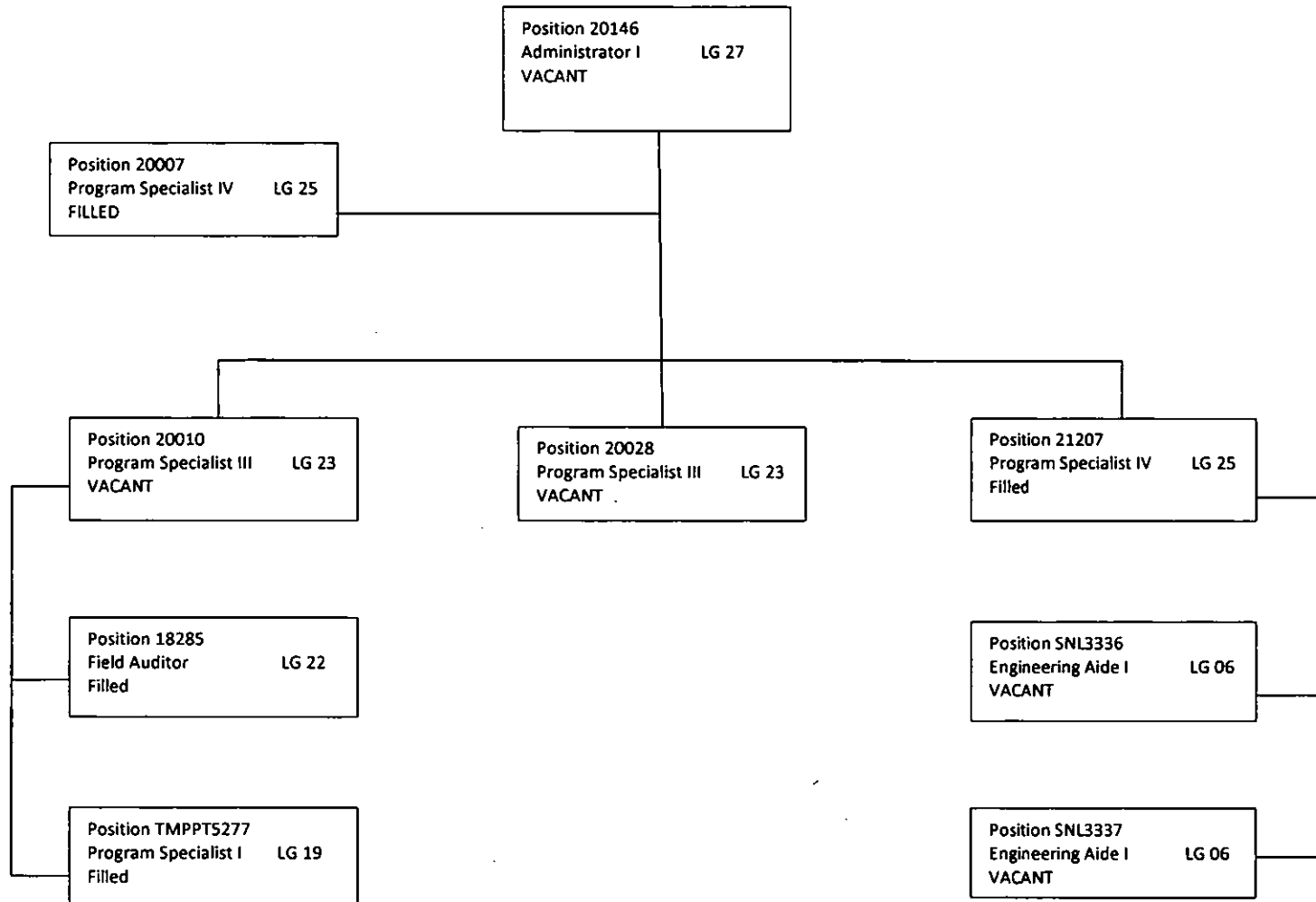
Sincerely,



Victoria F. Sheehan
Commissioner

Attachments

NHDOT
Office of Federal Compliance Organizational Chart (2056)
8/20/2020



Department of Transportation
FISCAL SITUATION FISCAL YEAR 2021
04-096-096-960315-2056
Office of Federal Compliance

Estimated revenue budgeted:	\$	93,250
Prior year carryforward revenue:	\$	2,422
Additional non-budgeted revenue:	\$	<u>485,194</u>
Amount available to budget:	\$	580,866
Less current FY2021 budget authorization:	\$	<u>95,672</u>
Total available for budgeting:	\$	485,194
Amount to be budgeted this request:	\$	<u>485,194</u>
Amount available to budget with future requests:	\$	<u>-</u>

Source of Non-Budgeted Revenue	Amount	Expenses through 8/20/2020	Balance
Federal Highway Administration	\$ 485,194	\$ -	\$ 485,194
		\$ -	\$ -
		\$ -	\$ -
Totals	<u>\$ 485,194</u>	<u>\$ -</u>	<u>\$ 485,194</u>