



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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VICTORIA F. SHEEHAN
COMMISSIONER

WILLIAM CASS, P.E.
ASSISTANT COMMISSIONER

Bureau of Finance & Contracts
February 19, 2016

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

REQUESTED ACTION

Authorize the Department of Transportation to enter into a **sole source** contract amendment for full service maintenance agreement with Konica Minolta Business Solutions, USA Inc., Atlanta, GA 31192-2823 (Vendor #177612), to increase the contract amount by \$20,000, from \$32,700 to \$52,700, effective upon Governor and Council approval through March 30, 2016. The original agreement was approved by Governor and Council on April 22, 2015, Item #23. 29% Federal Funds, 3% Other Funds, 68% Highway Funds.

Funding for FY 2016 is available as follows:

04-96-96-960215-3001	<u>FY 2016</u>
Bureau of Finance & Contracts	
024-500227 Contract Repairs- Office Equipment	\$20,000

EXPLANATION

The original approved contract was based on per copy charges of \$.075 per color copy and \$.015 per black and white copy. The original estimate of 400,000 color copies and 125,000 black and white copies per year were exceeded by 140,738 and 48,720, respectively resulting in additional costs to the current contract, resulting in a **sole source** amendment. The increase in actual machine usage over estimated is partly due to increased usage of the color printer as the lesser expensive black and white copier was down for repairs. Projects such as the 10 year plan, G&C letters, Department manuals, and Salem-Manchester road projects were covered in large part by this color copier while the black and white copier was down.

The contract has been approved by the Attorney General as to form and execution, and the Department has verified that the necessary funds are available for FY 2016. Copies of the fully executed amended contract are on file with 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,

Victoria F. Sheehan
Commissioner

AMENDMENT TO AGREEMENT

KONICA MINOLTA BUSINESS SOLUTIONS U.S.A., INC. FULL SERVICE MAINTENANCE AGREEMENT

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation (NHDOT) and Konica Minolta Business Solutions U.S.A., Inc. on April 22, 2015 (Item #23) effective upon Governor and Council approval through March 30, 2016;

WHEREAS, the Contractor, Konica Minolta Business Solutions U.S.A., Inc. and NHDOT have agreed to amend certain provisions of the agreement:

WHEREAS, Section 1.8 Price Limitation, of the P-37 form is \$32,700.00 and NHDOT wishes to increase the amount by \$20,000.00 amending the total contract amount to \$52,700.00;

RESOLVED, that the agreement be amended as follows:

Section 1.8 Price Limitation, of the P-37 form is amended to include an additional \$20,000.00 of funding amending the total contract amount from \$32,700.00 to \$52,700.00.

All other provisions of the agreement shall remain in effect.

Konica Minolta Business Solutions U.S.A., Inc.

By: Brian J. Cupka Date: 1-27-16
VP & General Counsel

Title: _____

Signature: Brian J. Cupka

On this the 27th day of January, 2016 before me, a Notary Public
The undersigned office, personally appeared Brian J. Cupka, 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.

Elaine E. Devlin
Notary Public/Justice of the Peace

ELAINE E. DEVLIN
Notary Public of New Jersey
I.D. #2359131
Commission Expires 4/26/2017

New Hampshire Department of Transportation

By: Marie A. Mullen Date: 2/3/2016

Title: Director of Finance

Signature: Marie A. Mullen

Approved by Attorney General

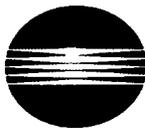
By: John J. Conford Date: 2/11/16

Title: Assistant Attorney General

Signature: John J. Conford

Approved by Governor and Council

By: _____ Date: _____



KONICA MINOLTA

SECRETARY'S CERTIFICATE

I, BRIAN CUPKA, Secretary of KONICA MINOLTA BUSINESS SOLUTIONS U.S.A., INC., a corporation duly organized and existing under the laws of the State of New York (the "Corporation"), do hereby certify that:

(a) the following Resolutions were adopted August 23, 2005 by the unanimous written consent of Board of Directors of the Corporation:

"RESOLVED, that the officers of the Corporation (the "Officers") listed on the attached Exhibit A be and each of such Officers hereby are authorized to execute and deliver documents and take such action by and on behalf of the Corporation in connection with the day to day operation of the Corporation as any of them may, in their sole and absolute discretion, deem necessary and appropriate; and it is

FURTHER RESOLVED, that the Officers may delegate their authority to execute and deliver documents and take action by and on behalf of the Corporation to other employees of the Corporation as any of them may, in their sole and absolute discretion, deem necessary and appropriate."

(b) except as to the names of Officers listed on the August 23, 2005 Resolution's Exhibit A, such Resolutions have not been amended or rescinded and as of the date hereof remain in full force and effect; and

(c) that the persons whose names are set forth below are duly qualified and currently serve as officers of the Corporation in the capacity herein described:

Toshimitsu Taiko	Chairman & CEO
Richard Taylor	President & COO
John Thielke	Executive Vice President & CFO and Treasurer
Alan Nielsen	Executive Vice President
Mark Bradford	Dealer Sales President of Direct Division
William Troxil	Senior Vice President, Strategic Business Development
Hiroshi Okazaki	Senior Vice President, Strategy Planning
Salvatore Errigo	Senior Vice President, Business Intelligence Services
Kevin Kern	Senior Vice President, Marketing
Brian Cupka	Senior Vice President HR, General Counsel & Secretary
Nelson Lin	Vice President, Information Technology
Myrtha Eugene	Assistant Secretary



KONICA MINOLTA

(d) The Board of Directors has authorized Todd Croteau, President, All Covered Division; Todd Foote, Vice President, Government Sales & Marketing, and Kay Fernandez, Vice President, Strategic Business Development to sign various documents, including contracts and bid related documents, on behalf of the Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Corporation this 27th day of January, 2016.

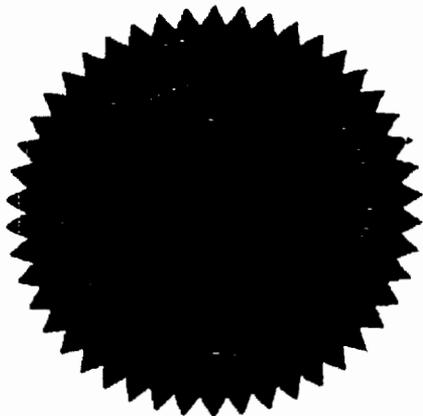
BRIAN J. CUPKA, SECRETARY
KONICA MINOLTA BUSINESS SOLUTIONS USA, INC.

(CORPORATE SEAL)

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 KONICA MINOLTA BUSINESS SOLUTIONS U.S.A., INC. a(n) New York corporation, is authorized to transact business in New Hampshire and qualified on June 11, 1999. I further certify that all fees and annual reports required by the Secretary of State's office have been received.



In TESTIMONY WHEREOF, I hereto
set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 8th day of April, A.D. 2015

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

William M. Gardner
Secretary of State



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
09/29/2015

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 Aon Risk Services Northeast, Inc. New York NY Office 199 Water Street New York NY 10038-3551 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): (800) 363-0105	
	E-MAIL ADDRESS:	
INSURED Konica Minolta Business Solutions U.S.A., Inc. Attn: Lynne Ransom 500 Day Hill Road Windsor CT 06095 USA	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Sampo Japan Insurance Company of America NAIC # 11126	
	INSURER B: Continental Ins Co Of NJ 42625	
	INSURER C:	
	INSURER D:	
	INSURER E:	

Holder Identifier :

COVERAGES **CERTIFICATE NUMBER:** 570059645600 **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 BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. **Limits shown are as requested**

INSR LTR	TYPE OF INSURANCE	ADDU SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CONTRACTUAL LIABILITY GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:		CPL40210K0	10/01/2015	10/01/2016	EACH OCCURRENCE	\$1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
						MED EXP (Any one person)	\$15,000
						PERSONAL & ADV INJURY	\$1,000,000
						GENERAL AGGREGATE	\$2,000,000
						PRODUCTS - COMP/OP AGG	\$2,000,000
A	AUTOMOBILE LIABILITY		ADV40004E0	10/01/2015	10/01/2016	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
A	<input checked="" 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 <input checked="" type="checkbox"/> \$1,000 Ded Coll <input checked="" type="checkbox"/> \$500 Ded Comp		AOS ADV40003D0 MA	10/01/2015	10/01/2016	BODILY INJURY (Per person)	
						BODILY INJURY (Per accident)	
						PROPERTY DAMAGE (Per accident)	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$10,000		CPU40539N0	10/01/2015	10/01/2016	EACH OCCURRENCE	\$10,000,000
						AGGREGATE	\$10,000,000
A	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 N N/A	WCD40000A0 WCN40006G0 OR,WI WCN4064000 NY	10/01/2015 10/01/2015 10/01/2015	10/01/2016 10/01/2016 10/01/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT	\$1,000,000
A						E.L. DISEASE-EA EMPLOYEE	\$1,000,000
						E.L. DISEASE-POLICY LIMIT	\$1,000,000
B	E&O-MPL-Primary		287233832 MPL E&O Claims Made Cov. SIR applies per policy terms & conditions	10/01/2015	10/01/2016	Prof and Tech Liab	\$10,000,000

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

RE: Account No. 04-96-96-960015-3001-024, Maintenance Agreement for KMBS 1050. The State of New Hampshire, its officers and employees are included as Additional Insured in accordance with the policy provisions of the General Liability policy with respect to Konica Minolta's work and/or operations as their interest may appear.

CERTIFICATE HOLDER**CANCELLATION**

The State of New Hampshire Department of Transportation Attn: Steven Blanchette 7 Hazen Drive Concord NH 03301 USA	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 <i>Aon Risk Services Northeast, Inc.</i>

Certificate No : 570059645600



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
09/29/2015

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 Aon Risk Services Northeast, Inc. New York NY Office 199 Water Street New York NY 10038-3551 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): (800) 363-0105		
	E-MAIL ADDRESS:		
INSURED Konica Minolta Business Solutions U.S.A., Inc. Attn: Lynne Ransom 500 Day Hill Road Windsor CT 06095 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Sampo Japan Insurance Company of America		11126
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES **CERTIFICATE NUMBER: 570059639314** **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 BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. **Limits shown are as requested**

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CONTRACTUAL LIABILITY GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:			CPL40210K0	10/01/2015	10/01/2016	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" 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 <input checked="" type="checkbox"/> \$1,000 Ded Coll <input checked="" type="checkbox"/> \$500 Ded Comp			ADV40004E0 AOS ADV40003D0 MA	10/01/2015	10/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$10,000			CPU40539N0	10/01/2015	10/01/2016	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000
A	<input checked="" type="checkbox"/> 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 N	N/A	WCD40000A0 WCN40006G0 OR,WI WCN4064000 NY	10/01/2015 10/01/2015 10/01/2015	10/01/2016 10/01/2016 10/01/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE-EA EMPLOYEE \$1,000,000 E.L. DISEASE-POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The State of New Hampshire and The New Hampshire Department of Transportation are included as Additional Insured in accordance with the policy provisions of the General Liability and Automobile Liability policies with respect to Konica Minolta's work and/or operations as their interest may appear.

CERTIFICATE HOLDER State of New Hampshire Department of Transportation PO Box 483 Concord NH 03302-0483 USA	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 <i>Aon Risk Services Northeast, Inc.</i>
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Holder Identifier :

Certificate No : 570059639314



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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JEFF BRILLHART, P.E.
ACTING COMMISSIONER

Bureau of Finance & Contracts
March 19, 2015

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

REQUESTED ACTION

Authorize the Department of Transportation to exercise the option to renew a full service maintenance agreement in the amount of \$.075 per color copy and \$.015 per black and white copy with Konica Minolta Business Solutions, USA Inc., Atlanta, GA 31192-2823 (Vendor #177612) not to exceed \$32,700 from the date of Governor and Council approval through March 30, 2016. 34% Federal Funds, 2% Other Funds, 64% Highway Funds.

Funding for FY 2015 is available as follows and is contingent upon the availability and continued appropriation of funds in FY 2016.

	<u>FY 2015</u>	<u>FY 2016</u>
04-96-96-960215-3001		
Bureau of Finance & Contracts		
024-500227 Contract Repairs- Office Equipment	\$8,175	\$24,525

EXPLANATION

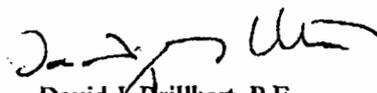
The Department owns a Konica Minolta Bizhub PRO C6500 Digital Color Copier which has been covered under the original full service maintenance agreement with Konica Monolta since its purchase and installation in February 2007. Konica Minolta provides timely service for maintenance, repairs and replacement parts for this machine. We are exercising our option to renew the maintenance agreement for the term per Section 2, subsection (d) of the Maintenance Agreement, which was approved by G&C on 4/17/2013, Item #104.

Vendor prices are \$.075 per color copy and a price of \$.015 per black and white copy. The annual estimated amount of copies is 400,000 color copies and 125,000 black and white copies per year.

The contract has been approved by the Attorney General as to form and execution, and the Department has verified that the necessary funds are available for FY 2015 and funding for FY 2016 is contingent upon the availability and continued appropriations of funds. Copies of the fully executed contract are on file with 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,


David J. Brillhart, P.E.
Acting Commissioner

Attachment