



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



97
Berk

**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
September 6, 2013

REQUESTED ACTION

Authorize the Department of Transportation to enter into a contract amendment with Advance Transit, Inc. (Vendor # 166573), Wilder, Vermont, to extend the contract completion date from December 31, 2013 to April 30, 2014, effective upon Governor and Council approval. The original agreement was approved by Governor and Council on January 11, 2012 (Item #106). There is no cost as a result of this request.

EXPLANATION

Advance Transit is a private, not-for-profit organization providing public transportation service in the Upper Valley region of New Hampshire and Vermont. Approximately three-fourths of Advance Transit's ridership and service is in New Hampshire and one-fourth in Vermont.

The Department received a Federal Fiscal Year 2011 Capital Discretionary appropriation for statewide bus and bus facilities. Proposals were solicited from public transit providers for eligible projects that support public transportation services, and awards were based on the applicant's ability to sustain existing public transit service, enhance service through expansion or improvement, and attract new riders to public transit as well as prior compliance with Federal requirements.

Advance Transit, Inc. received funding for a small transit bus for expansion service, two replacement buses for complementary ADA paratransit service, maintenance tools and equipment, capital spare parts, and office furniture. Advance Transit, Inc. has requested a time extension due to delays in the procurement process of the two complementary ADA replacement buses. Advance Transit, Inc. encountered unanticipated delays in the vehicle manufacturing and final delivery. To accommodate a revised vehicle delivery date, it is requested that the contract completion date be amended to April 30, 2014.

All other provisions of the agreement shall remain in effect.

The amendment has been approved by the Attorney General as to form and execution. Copies of the fully executed amendment 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.", 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 Advance Transit, Inc. on January 11, 2012, (Item #106) effective January 11, 2012 through December 31, 2013, and this agreement remains in effect;

WHEREAS, the Completion Date, Section 1.7 of the P-37 form reads "December 31, 2013" and Exhibit A of the agreement reads "completion date of December 31, 2013";

RESOLVED, that the agreement be amended as follows:

Section 1.7, Completion Date of the P-37 form to read "April 30, 2014" and Exhibit A of the agreement shall be revised to read "completion date of April 30, 2014."

All other provisions of the agreement shall remain in effect.

Advance Transit, Inc.

Date: Sept 4 2013

By: _____

James Tonkovitch
(Name)

President

(Title)

County of Windsor

On this the 4th day of September, 2013, before me, Carol Hardy, the undersigned officer, personally appeared James Tonkovitch, 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.

Carol Hardy
Notary Public/Justice of the Peace
2/10/15

NH Department of Transportation

By: [Signature]

Date: 9/6/13

Title: Director

Approved by Attorney General

By: [Signature]

Date: 9/24/13

Title: Attorney - Bureau of Transportation & Construction

Approved by Governor and Council

By: _____

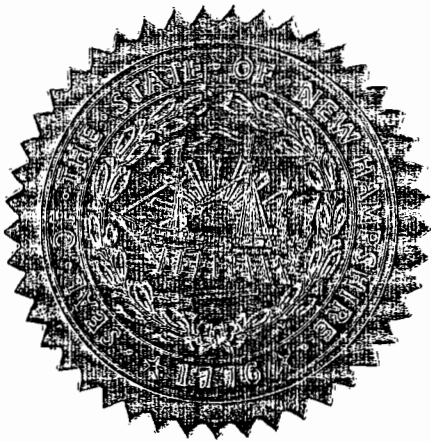
Date: _____

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 ADVANCE TRANSIT, INC. is a New Hampshire nonprofit corporation formed January 12, 1984. 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 9th day of May A.D. 2013

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

William M. Gardner
Secretary of State

Corporation Division

Search
By Business Name
By Business ID
By Registered Agent
Annual Report
File Online

Date: 4/12/2013

Filed Documents

(Annual Report History, View Images, etc.)

Business Name History

Name	Name Type
ADVANCE TRANSIT, INC.	Legal

Non-Profit Corporation - Domestic - Information

Business ID:	52688
Status:	Good Standing
Entity Creation Date:	1/12/1984
Principal Office Address:	120 BILLINGS FARM ROAD WHITE RIVER JUNCTION VT 05001
Principal Mailing Address:	PO BOX 1027 Wilder VT 05088
Expiration Date:	Perpetual
Last Annual Report Filed Date:	10/25/2010
Last Annual Report Filed:	2010

Registered Agent

Agent Name:	
Office Address:	No Address
Mailing Address:	No Address

Important Note: The status reflected for each entity on this website only refers to the status of the entity's filing requirements with this office. It does not necessarily reflect the disciplinary status of the entity with any state agency. Requests for disciplinary information should be directed to agencies with licensing or other regulatory authority over the entity.

ADVANCE TRANSIT, INC.

ABSTRACT OF CORPORATE MINUTES

The following is a true abstract from minutes of the meeting of the Board of Directors of Advance Transit, Inc. on March 19, 1987 which meeting was duly called at which a quorum was present:

On a motion duly made and seconded, it was voted to authorize the President, to accept grants and awards and enter into contracts from time to time with the State of Vermont's Agency of Transportation, or New Hampshire Department of Transportation, and to sign and otherwise fully execute such acceptances and contracts and any related documents requested by vote of this governing board until such time as his successor is elected or appointed."

I certify the foregoing vote is still in effect and has not been revoked, rescinded or modified.

I further certify that James M. Tonkovich is the duly elected President of this corporation and still qualified and serving in such capacity.



Van J. Chesnut
Assistant Secretary

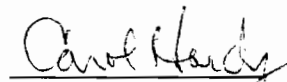
9/4/13
(Date)

"No corporate seal."

STATE OF VERMONT
COUNTY OF WINDSOR

On 9/4/13, before the undersigned officer personally appeared the person identified in the foregoing certificate, known to me (or satisfactorily proven) to be the Assistant Secretary of the corporation identified in the foregoing certificate, and acknowledge that he executed the foregoing certificate.

In witness whereof I hereunto set my hand and official seal.


Notary Public
2/10/15



ADVAN01

OP ID: CH

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/20/13

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 Kinney Pike/Hartford The Junction Market Place 1011 North Main Street White River Junction, VT 05001 Jake Obar		802-295-3329 802-296-6126	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):
INSURED Advance Transit Inc Carol Hardy PO Box 1027 Wilder, VT 05088		INSURER(S) AFFORDING COVERAGE INSURER A: Travelers Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:		
		NAIC # 36137		

COVERAGES**CERTIFICATE NUMBER:****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.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC	X		H-660-2559R539	07/01/13	07/01/14	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Emp Ben. \$ 1,000,000
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS	X		BA-2599R746	07/01/13	07/01/14	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 0			CUP-2559R539	07/01/13	07/01/14	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	HCUB3385M68713	07/01/13	07/01/14	☒ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, If more space is required)

Certificate Holder is named Additional Insured with respect to General Liability & Auto Liability to the extent required in executed written contract. Workers Compensation Statutory Coverage applies in VT. No excluded officers.

CERTIFICATE HOLDER**CANCELLATION**

State of New Hampshire Department of Transportation 7 Hazen Drive, PO Box 483 Concord, NH 03302-0483	NHDOT01
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 Jake Obar 	

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DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

His Excellency, Governor John H. Lynch
and the Honorable Council
State House
Concord, NH 03301

Bureau of Rail & Transit
December 19, 2011

*Approved 1/12
Item 18b*

REQUESTED ACTION

Authorize the Department of Transportation to enter into an agreement with Advance Transit, Inc. (VC #166573), Wilder, Vermont, for an amount not to exceed \$281,217 to purchase transit vehicles and related equipment, effective from the date of Governor and Council approval through December 31, 2013. 92.53% Federal funds, 7.47% State Capital funds.

Funding is available as follows:

FY 2012

04-96-96-964010-2916	
Public Transportation	
072-500574 Grants to Local Government-Federal	\$281,217

EXPLANATION

The Department received a Federal Fiscal Year 2011 Capital Discretionary appropriation for statewide bus and bus facilities in the amount of \$475,000. Proposals were solicited from public transit providers for eligible projects that support public transportation services, and awards were based on the applicant's ability to sustain existing public transit service, enhance service through expansion or improvement, and attract new riders to public transit as well as prior compliance with Federal requirements. Projects were awarded to four transit agencies: Advance Transit, Inc., Belknap-Merrimack Counties Community Action Program, Inc., Community Alliance of Human Services, and the Tri-County Community Action Program. The Department of Transportation will also use a portion of the funds for facility and terminal improvement.

The subject project represents funding for a small transit bus for expansion service, two replacement buses for Advance Transit's complementary ADA paratransit service, maintenance tools and equipment, capital spare parts, and office furniture (see detailed budget below). The total cost is \$325,272, of which the Federal and State funding total \$281,217. The State Capital Budget includes matching funds for transit vehicles, and Advance Transit will procure the equipment following Federal guidelines and pay the \$44,055 local matching funds.

ITEM	QTY	FTA AMOUNT	STATE MATCH	LOCAL (AT)	TOTAL PROJECT AMOUNT
Expansion Bus	1	\$ 68,000	\$ 8,500	\$ 8,500	\$ 85,000
Replacement Bus	2	\$ 100,000	\$ 12,500	\$ 12,500	\$ 125,000
Shop Equipment	N/A	\$ 30,120	\$	\$ 7,530	\$ 37,650
Spare Parts	N/A	\$ 52,897	\$	\$ 13,225	\$ 66,122
Misc. Office Equipment	N/A	\$ 9,200	\$	\$ 2,300	\$ 11,500
TOTAL PROJECT AMOUNT		\$ 260,217	\$ 21,000	\$ 44,055	\$ 325,272

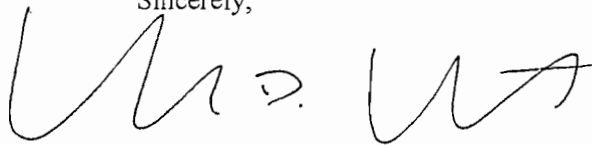
Advance Transit is a private, not-for-profit organization providing public transportation service in the Upper Valley region of New Hampshire and Vermont. Approximately three-fourths of Advance Transit's ridership and service is in New Hampshire and one-fourth in Vermont.

In the event that Federal funds are unavailable, additional 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 has verified that the necessary funds are available. Copies of the fully executed Agreement 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,



Christopher D. Clement, Sr.
Commissioner