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State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, NH 03305
603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

April 25, 2017

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

Requested Action

Authorize the Department of Safety, Division of Administration, to accept and expend "Highway Use Tax Evasion" funds in the amount of \$15,641.00 from the Federal Highway Administration. Effective upon Governor and Council approvals through June 30, 2018. Funding source: 100% Federal Funds.

Funds will be budgeted in an account titled Dyed Fuel Evasion Enforcement:

02-23-23-232010-42440000 Dept. of Safety Div. of Administration Dyed Fuel Evasion Enforcement
Revenue Source: 406804

<u>Class</u>	<u>Description</u>	<u>SFY 2017 Current Adjusted Authorized</u>	<u>Requested Action</u>	<u>Revised SFY 2017 Adjusted Authorized</u>
000-406804	Federal Funds	(\$27,439.00)	(\$15,641.00)	\$ (43,080.00)
018-500106	Overtime	\$ 3,000.00	\$ -	\$ 3,000.00
020-500200	Current Expense	\$ 2,612.00	\$ -	\$ 2,612.00
040-500800	Indirect Costs	\$ 4,801.00	\$ -	\$ 4,801.00
041-500801	Audit Fund Set Aside	\$ 405.00	\$ -	\$ 405.00
060-500601	Benefits	\$ 835.00	\$ -	\$ 835.00
080-500710	Out of State Travel Reimb	\$ 15,786.00	\$ 15,641.00	\$ 31,427.00
	42440000 Totals	\$ 27,439.00	\$ 15,641.00	\$ 43,080.00

Explanation

The Department of Safety, Division of Administration, requests authorization to accept and expend \$15,641.00 in funds from the US Department of Transportation – Federal Highway Administration (UDDOT-FHWA) "Highway Use Tax Evasion" program. These funds will be utilized by the Road Toll Bureau for attendance at motor fuel trainings and conferences hosted by the Federation of Tax Administrators and the International Fuel Tax Agreement (IFTA), Inc. These trainings and conferences ensure Road Toll Bureau staff remain up-to-date on current developments in motor fuel taxation. This item is to align the state appropriations with the repurposed grant budget approved by USDOT-FHWA.

Funds will be budgeted as follows:

The funds in Class 080, Out of State Travel Reimb, will be used to cover expenses associated with out of state travel for attending applicable motor fuel tax training classes.

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In the event that Federal Funds become no longer available, General Funds and/or Highway funds will not be requested to support this program.

Respectfully submitted,


John J. Barthelmes
Commissioner of Safety

Dyed Fuel Evasion Enforcement

Fiscal Situation: Account 02-23-23-232010-42440000

Federal Funds Awarded:

Dyed Fuel Evasion Enforcement Project (through September 30, 2016)	\$151,150.00
Highway Use Tax Evasion Grant (through September 30, 2018)	\$40,192.00
Total Grant Funds Awarded	\$191,342.00
Less expenses in Prior Year Expenses	(\$108,070.00)
Dyed Fuel Evasion Enforcement Project Closed	(\$40,192.00)
Total Prior Fiscal Year Actual Expenses	(\$148,262.00)
Net Grant Funds Remaining	\$43,080.00
Less: Current Adjusted Authorized	(\$27,439.00)
Available Funds	\$15,641.00
This Request	\$15,641.00



U.S. Department
of Transportation
Federal Highway
Administration

Memorandum

Subject: **ACTION:** Approval of New Work Plan:
Repurposing of Existing New Hampshire L960
Allocation

Date: 2/14/2017

From: 
Tianjia Tang - For
Acting Director, Office of Highway Policy
Information

In Reply Refer To: HPPI
Michael Dougherty X69234

To: Karen R. Damiani, Financial Manager, New Hampshire Division, FHWA

Recently the New Hampshire Department of Safety made a request to repurpose funds that were remaining under a previous award made through the Highway Use Tax Evasion program. The project, FHWA # TCP1 (003), originally awarded in FY 2007 (Program Code L960), has a remaining balance of \$ 40,192.06. Our office is in receipt of the request and approves the new plan.

This memo will give you permission to obligate the funds remaining from the previous project into a new project covering this proposal.

As a reminder, these awards are 100% federally funded and the funds do not expire. Any reimbursable amounts under this program need to comply with the Code of Federal Regulations, Title 2, Section 200, Subpart E. Furthermore, the Department of Safety shall submit annual report no later than 60 days after the end of each Federal fiscal year (September 30). The annual report shall include a narrative report that describes the projects carried out under this agreement and shall specify the estimated annual yield from such projects along with an expenditure summary. The final performance and financial summary report (if this agreement is not continued) shall be submitted by the State no later than 60 days after the termination of the period of performance.

Mr. Michael Dougherty is the Headquarters contact for this effort and can be reached at 202-366-9234 or michael.dougherty@dot.gov. He may be contacted if you have any questions.

Run Date: 03/07/2017
Run Time: 07:36:52

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID PROJECT AGREEMENT**

Report: FMISD05A
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RECIPIENT: 33-New Hampshire

FEDERAL PROJECT NO: TCP1004

RECIPIENT PROJ. NO(S): NHDOS

1. The State through its department of transportation, or other recipient, has complied, or hereby agrees to comply, with the applicable terms and conditions set forth in (a) Title 23, U.S. Code, highways; (b) The regulations issued pursuant thereto, and the policies and procedures promulgated by the Federal Highway Administration; and (c) All other applicable federal laws and regulations. 2. The State, or other recipient, stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the provisions set forth in 23 CFR 630.112. These provisions incorporate by reference all other federal laws and regulations pertaining to the project or the activity for which the funds are obligated. Solely for the purposes of emphasis, such applicable provisions include, but are not limited to, the requirements of Appendix A to 2 CFR Part 170—Award terms for Reporting subaward and executive compensation information, and 2 CFR 200, including for those funds for which such amount will be subawarded to a subrecipient, 2 CFR 200.331. 3. Relative to the above designated project, the FHWA has authorized certain work to proceed as evidenced by the date entered opposite the specific item of work. For such authorized work, the federal funds obligated or advance-construction authorized, are not to exceed the amount shown herein. The balance of the estimated total project cost is an obligation of the State or other direct recipient. 4. Such authorization of Federal funds extends only to project costs incurred by the State, or other recipient, following Federal Highway Administration's authorization to proceed with the project.

PROJECT TITLE: Highway Use Tax Evasion and Enforcement for FY2017-2018 (March 3, 2017 - September 30, 2018)
PROJECT DESCRIPTION: Highway Use Tax Evasion Training and Enforcement for partial FFY2017-FFY2018 (March 3, 2017 - September 30, 2018)
DUNS#: 060340564

CLASSIFICATION OF PHASE OF WORK TO BE PUT UNDER AGREEMENT	EFFECTIVE DATE OF AUTHORIZATION
HIGHWAY PLANNING & RESEARCH	
PRELIMINARY ENGINEERING	
RIGHT-OF-WAY	
CONSTRUCTION	
OTHER	03/03/2017

PROGRAM CODE	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
L960		\$40,192.06	100.00%	\$40,192.06	\$0.00
TOTAL		\$40,192.06		\$40,192.06	\$0.00
		ESTIMATED TOTAL COST:	\$40,192.06		
		TOTAL AUTHORIZED FOR PROJECT:	\$40,192.06		

TRANSPORTATION, NEW HAMPSHIRE DEPARTMENT OF

AVAILABLE FUNDS CERTIFIED BY:	STATE SIGNATURE ON FILE	DATE:
APPROVED AND REQUESTED BY:	STATE SIGNATURE ON FILE	DATE:
AGRMT/MODIFY REQUESTED BY:	STATE SIGNATURE ON FILE	DATE:

FEDERAL HIGHWAY ADMINISTRATION

PROJECT INFORMATION REVIEWED BY:	Karen Damiani	DATE:	03/03/2017
APPROVAL RECOMMENDED BY:	Karen Damiani	DATE:	03/03/2017
APPROVED AND AUTHORIZED BY:	Ralph Estey	DATE:	03/06/2017

RECIPIENT REMARKS:

DIVISION REMARKS: 03/03/2017 (KRD): This new project authorization is being created per reallocation of funding permitted by FHWA Memorandum, subject: "ACTION: Approval of New Work Plan: Repurposing of Existing New Hampshire L960 Allocation," dated February 14, 2017 based on proposed scope of work (workplan) provided by NHDOS, dated February 14, 2017.

\$40,192.06 in L960 funding was released following the final voucher and closeout of NHDOS Project TCP1(003), whose period of performance ended 09/30/2016. As such this amount is being obligated on this new project, at a 100% Federally participating share, with a term end date of 09/30/2018, with closeout of the grant (final report, closeout in FMIS) shortly thereafter, for a period of performance end date anticipated for January 30, 2019.

Indirects will be claimed at annual, audited rate for NH DOS, and adjusted accordingly, as the project's scope spans two state FY. Current SFY 2017 indirect rate = 11.62%. CFDA #= 20.240 (Fuel Tax Evasion-Intergovernmental

AMENDED PROJECT AGREEMENT FOR THE JOINT FEDERAL/STATE MOTOR FUEL TAX COMPLIANCE PROJECT

Between the Federal Highway Administration, hereinafter referred to as the FHWA, and the NH Department of Safety, acting through its motor fuel tax enforcement agency as a Lead/ Participating State, hereinafter referred to as the State.

Prior Agreement Amount: one hundred fifty one thousand, one hundred fifty dollars (\$ 151,150.00 ***)
Additional Federal Funds: none dollars (\$ 0.00)
Total Agreement Amount: one hundred fifty one thousand, one hundred fifty dollars (\$ 151,150.00 ***)

Period of Performance is extended through: September 30, 2016

New Hampshire Department of Safety

Federal Highway Administration

State Agency

33 Hazen Drive

53 Pleasant Street, Suite 2200

Address (Principal place of work for this agreement)

Address

Concord, NH 03305

Concord, NH 03301

City, State, ZIP

City, State, ZIP

John J. Barthelmes

Patrick Bauer

Authorized Representative

Name

Commissioner of Safety

Division Administrator

Title

I hereby certify that the aggregate expenditure of funds of the State, exclusive of the Federal funds provided under this agreement, for motor fuel tax enforcement activities will be maintained at a level which does not fall below the average level of such expenditure for its last 2 fiscal years.

[Signature] 2/24/14
Signature *Date*

[Signature] 2-25-14
Signature *Date*

All of the provisions of the original Project Agreement in Sections I. through V. and the General Provisions numbered 1. through 19. remain in effect.

FHWA-1549