



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



**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  
October 10, 2014

**REQUESTED ACTION**

Authorize the Department of Transportation to enter into a contract amendment with the Town of Hanover (Vendor #159880), Hanover, New Hampshire, to extend the completion date from December 31, 2014 to September 30, 2015, effective upon Governor and Council approval. The original agreement was approved by Governor and Council on April 18, 2012, Item #141 and amended March 6, 2013, Item #43. This request is for a budget revision and time extension only, no new funding.

**EXPLANATION**

The Town of Hanover has requested a time extension of their contract agreement for improvements to a joint-use transit stop on Wheelock Street in Hanover due to unanticipated delays in receiving a required Section 106 determination from the NH Division of Historical Resources/State Historic Preservation Office for potential adverse effects to historic properties. The final determination was formalized in a letter to the Federal Transit Administration (FTA) on June 27, 2014 and permitted the second phase of the project to commence; however the delay of Section 106 and FTA approval processes will require additional time to complete phase 2 and final implementation of the project. Therefore, the Department requests to extend the completion date from December 31, 2014 to September 30, 2015. This amendment also revises certain provisions in the budget to include reducing the amount of funding for a custom bicycle shelter and increasing the amount for an electronic schedule kiosk. The total contract amount remains the same.

The Town of Hanover has been working cooperatively with the Department and FTA to improve a joint-use transit stop on Wheelock Street adjacent to the Hanover Inn and Dartmouth College's Hopkins Center. This stop serves approximately 150 buses per day from five transit providers. The Town of Hanover was awarded FTA Section 5309 Capital funds (E-2008-BUSP-0843) for Phase 1 of the project which includes engineering, permitting, design, and construction of improvements to the downtown bus transfer facility to expand the bus stop area to accommodate three buses simultaneously as well as taxis, enhance pedestrian safety and access to the transit services through improved sidewalks, crosswalks and a center island on Wheelock Street, relocate and improve a bus shelter at the site, and renew and enhance landscaping at the site. The Department was also awarded FTA Capital Bus Livability funds (FTA 2012-005-TPM-BLIV) to implement Phase 2 of the bus transit stop project which includes the design and construction of a custom curbside transit shelter, design and construction of an enclosed heated transit shelter, design and construction of a covered bicycle rack and the purchase and installation of an electronic schedule kiosk. To commence with Phase 2 of the project, the Department and Town of Hanover needed to obtain a Section 106 historic determination from the NH Division of Historical Resources/State Historic Preservation Office regarding this project.

All other provisions of the agreement shall remain in effect.

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 has verified that the 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' 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.", written in a cursive style.

Christopher D. Clement, Sr.  
Commissioner

Attachments

## AMENDMENT TO AGREEMENT

### TOWN OF HANOVER

WHEREAS, the Governor and Council approved an agreement between the New Hampshire Department of Transportation and the Town of Hanover on April 18, 2012, (Item #141) and amended March 6, 2013, (Item #43) effective upon Governor and Council approval through December 31, 2014 and this agreement remains in effect;

WHEREAS, the Completion Date, as amended, in Section 1.7 of the P-37 form is December 31, 2014;

WHEREAS, the Price Limitation in Section 1.8 of the P-37 form is \$447,216, and Exhibit A, as amended, describes the Scope of Work and Exhibit B, as amended, describes the budget;

WHEREAS, Exhibit B, paragraph one reads "The Contract Price shall be \$477,216, in Federal funds as included in the project budget. The Town of Hanover will provide the match in cash and in-kind contributions totaling \$116,804, as indicated below";

WHEREAS, Exhibit B, last paragraph reads "The Contractor shall submit bid documentation (which must be in compliance with FTA Third Party Procurement guidelines) for contractor selection, draft plans for review by the Department, and an invoice to the State for reimbursement of eligible project expenses on a monthly basis."

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

Section 1.7, Completion Date, of Form P-37, be amended to read "September 30, 2015"

Exhibit B, Budget, shall be revised for Phase 2 by reducing the funding amount for the Custom Bicycle Shelter and increasing the amount for the Electronic Schedule Kiosk. The total contract amount remains the same.

Exhibit B, Budget, paragraph one be revised to read "B.1 The Contract Price shall be \$477,216, in Federal funds as included in the project budget. The Town of Hanover will provide the required matching funds with cash and in-kind contributions The Contract Price is the Federal reimbursable portion of the eligible project costs."

Exhibit B, Budget, last paragraph be revised to read "B.2. The Contractor shall submit bid documentation (which must be in compliance with FTA Third Party Procurement guidelines) for contractor selection and draft plans for review by the Department. The Contractor will invoice the State for reimbursement of eligible project expenses on a monthly basis or after the completion of approved work and items. Total reimbursements may not exceed the contract amount \$477,216."

All other provisions of the agreement shall remain in effect.

Town of Hanover

By: Julia N. Griffin Date: 9/19/14

Title: Town Manager

Signature: Julia N. Griffin

County of Grafton

On this the 9<sup>th</sup> day of September, 2014, before me, Sue Girouard, the undersigned officer, personally appeared Julia N. Griffin, 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.

Sue Girouard  
Notary Public/Justice of the Peace  
SUE GIROUARD, Notary Public-New Hampshire  
My Commission Expires September 9, 2014

NH Department of Transportation

By: Patrick C. Harbiny Date: 9/17/14

Title: Director

Signature: Patrick C. Harbiny

Approved by Attorney General

By: Matthew T. Brodhead Date: 10/16/14

Title: Attorney

Signature: Matthew T. Brodhead

Approved by Governor and Council

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

**EXHIBIT B**

**BUDGET (REVISED)**

B.1. The Contract Price shall be \$477,216 in Federal funds as included in the project budget. The Contract Total is the Federal reimbursable portion of the eligible project costs.

	<b>FEDERAL AMOUNT</b>	<b>TOWN OF HANOVER MATCH</b>	<b>TOTAL PROJECT COST</b>
<b><u>PHASE 1</u></b>			
Engineering	\$40,600	\$10,150	\$50,750
Construction	\$253,416	\$63,354	\$316,770
<b>TOTAL</b>	<b>\$294,016</b>	<b>\$73,504</b>	<b>\$367,520</b>
<b><u>PHASE 2</u></b>			
Custom Curbside Shelter	\$40,000	\$10,000	\$50,000
Enclosed Transit waiting area	\$115,200	\$28,800	\$144,000
Custom Bicycle Shelter	<b>\$2,250</b>	<b>\$250</b>	<b>\$2,500</b>
Electronic Schedule Kiosk	<b>\$25,750</b>	<b>\$6,438</b>	<b>\$32,188</b>
<b>TOTAL</b>	<b>\$183,200</b>	<b>\$45,488</b>	<b>\$228,688</b>
<b>SECTION 5309 CAPITAL</b>			
<b>Contract Total</b>	<b>\$477,216</b>		

B.2. The Contractor shall submit bid documentation (which must be in compliance with FTA Third Party Procurement guidelines) for contractor selection and draft plans for review by the Department. The Contractor will invoice the State for reimbursement of eligible project expenses on a monthly basis or after the completion of approved work and items. Total reimbursements may not exceed the contract amount \$477,216.

## **EXHIBIT C**

### **SPECIAL PROVISIONS**

The Town of Hanover does not need a Certificate of Good Standing because they are a “political subdivision” of the State per RSA Chapter 36:49-a.



## CERTIFICATE OF VOTE OF AUTHORIZATION

### Phase 1 & Phase II – Extension of Contract Completion Date and Revised Budget Figures for Phase II

I, Peter Christie, of the Town of Hanover Board of Selectmen do hereby certify that at a meeting held on September 8, 2014:

1. I am the duly elected and acting Chairman of the Board of Selectmen;
2. The Board of Selectmen authorized the Hanover Town Manager, Julia Griffin, to execute any documents which may be necessary to effectuate the receipt of FTA Section 5309 Capital Program Funds;
3. This authorization has not been evoked, annulled or amended in any manner whatsoever, and remains in full force and effect as of the date hereof; and
4. The following person has been appointed to, and now occupies, the office indicated under item 2 above:

Julia N. Griffin, Town Manager

IN WITNESS WHEREOF, I have hereunto set my hand as the Board of Selectmen for the Town of Hanover on this 9<sup>th</sup> date of September, 2014.

Peter Christie, Chairman - Board of Selectmen

STATE OF NEW HAMPSHIRE  
County of Grafton

On this 9<sup>th</sup> day of September, 2014, before me Sue Girouard, the undersigned officer, personally appeared Peter Christie, who acknowledged himself to be the Chairman of the Board of Selectmen, and that he, as Select Board member, being so authorized to do so, executed the foregoing instrument for the purpose therein contained.

In witness whereof, I have set my hand and official seal.

Sue Girouard, Notary Public  
SUE GIROUARD, Notary Public-New Hampshire  
My Commission Expires September 9, 2014

## CERTIFICATE OF COVERAGE

This certificate evidences the limits of liability in effect at the inception of the Coverage Agreement(s) (also known as the Member Agreement(s)) described below. This certificate is issued as a matter of information only and confers no rights on the certificate holder and does not amend, extend, or alter the coverage afforded by the Member Agreement(s) except to the extent provided in the Additional Covered Party box or Loss Payee box below, if checked.

THIS IS TO CERTIFY THAT THE ENTITY NAMED BELOW HAS BEEN ISSUED THE MEMBER AGREEMENT(S) FOR THE AGREEMENT TERM(S) 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 COVERAGE AFFORDED BY THE MEMBER AGREEMENT(S) IS SUBJECT TO ALL THE EXCLUSIONS, EXTENSIONS, TERMS, AND CONDITIONS OF SUCH MEMBER AGREEMENT(S). AGGREGATE LIMITS MAY HAVE BEEN REDUCED BY PAID CLAIMS.

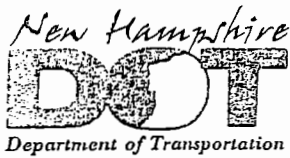
<b>Member:</b> Town of Hanover <b>Member Number:</b> 029-090186 - 15		<b>Company Affording Coverage (the "Company"):</b>  Property-Liability Trust, Inc. PO Box 2008, Concord, NH 03302-2008	
Coverage (Occurrence basis only):	Effective Date (mm/dd/yy)	Expiration Date (mm/dd/yy)	Limits (subject to applicable NH statutory limits)
<input checked="" type="checkbox"/> General Liability (Member Agreement Section III.A)	7/1/2014	6/30/2015	Each Occurrence \$ 5,000,000
			General Aggregate \$
			Personal & Adv Injurv \$
			Med Exp (any one person) \$
			Products -Comp/Op Agg \$
Fire Damage (each fire) \$			
<input checked="" type="checkbox"/> Automobile Liability (Member Agreement Section III.A) <input type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos <input type="checkbox"/> Other _____	7/1/2014	6/30/2015	Each Occurrence \$ 5,000,000
			Bodily Injury (per person) \$
			Bodily Injury (per accident) \$
			Property Damage (per accident) \$
			Excess Liability \$ N/A
Aggregate \$ N/A			
<input checked="" type="checkbox"/> Property (All Risk including Theft) (Member Agreement Section I) Deductible: \$1,000	7/1/2014	6/30/2015	\$Per scheduled limits and Member Agreement
<input checked="" type="checkbox"/> Workers' Compensation (Coverage A) Employers' Liability (Coverage B)	7/1/2014	6/30/2015	Coverage A: Statutory
			Cov. B: Each Accident \$ 2,000,000
			Disease - Each Employee \$ 2,000,000
			Disease - Policy Limit \$ 2,000,000
<b>Description:</b> State of New Hampshire, Department of Transportation is named as Additional Covered Party relative to the Grant Money for the Bus Transit Facility located on East Wheelock Street, Hanover, NH 03755.			

**CANCELLATION:** If any of the above coverages under the Member Agreement are cancelled before the expiration date, the Company will endeavor to mail 30 days written notice to the Certificate Holder named below, but failure to mail such notice shall impose no obligation or liability of any kind upon the Company.

<input checked="" type="checkbox"/> Additional Covered Party	<input type="checkbox"/> Loss Payee, as his, her or its interests appear
Coverage for the Additional Covered Party is limited to "bodily injury" or "property damage" caused by, and only to the extent of, the sole negligence of the Member, and no protection is available for the negligence of others, including the Additional Covered Party and its directors, officers, employees, or agents. Available limits of coverage are shared between the Member and the Additional Covered Party.*	
*Terms in quotes are defined in the Member Agreement.	

<b>Certificate Holder:</b>  State of New Hampshire Karen Jennison Department of Transportation 7 Hazen Drive, PO Box 483 Concord NH 03302-0483	<b>Company</b>  By: <u>Wendy W Parker</u> Authorized Representative  Date Issued: <u>6/25/2014</u>	Please direct inquiries to:  Debra A. Lewis 603.230.3332
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THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.  
COMMISSIONER

Approved 3/6/13  
Item #43

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  
January 28, 2013

REQUESTED ACTION

Authorize the Department of Transportation to enter into a contract amendment with the Town of Hanover (Vendor #159880), Hanover, New Hampshire, to extend the completion date from December 31, 2013 to December 31, 2014 and increase the contract amount by \$183,200 from \$294,016 to \$477,216 for the design and construction of improvements to a transit stop in Hanover, effective upon Governor and Council approval through December 31, 2014. The original agreement was approved by Governor and Council on April 18, 2012, Item #141. 100% Federal Funds.

Funding is available as follows:

	<u>FY2013</u>
04-96-96-964010-2916	
Public Transportation	
072-500570 Grants of Property Federal	\$183,200

EXPLANATION

The Town of Hanover is currently working cooperatively with the NH Department of Transportation and the Federal Transit Administration (FTA) to improve the joint-use transit stop on Wheelock Street, in front of the Hanover Inn and Dartmouth College Hopkins Center in Hanover, NH. This stop serves nearly 150 buses per day from five transit providers. The Town of Hanover was awarded FTA Section 5309 Capital funds (E-2008-BUSP-0843) for Phase 1 of the project which included engineering, permitting, design, and construction of improvements to the downtown bus transfer facility to expand the bus stop area to accommodate three buses simultaneously as well as taxis, enhance pedestrian safety and access to the transit services through improved sidewalks, crosswalks and a center island on East Wheelock Street, relocate and improve a bus shelter at the site, and renew and enhance landscaping at the site.

The Department was awarded FTA Capital Bus Livability funds (FTA 2012-005-TPM-BLIV) for the Town of Hanover to implement Phase 2 of the bus transit stop project which includes the design and construction of a custom curbside transit shelter, design and construction of an enclosed heated transit shelter, design and construction of a covered bicycle rack and the purchase and installation of an electronic schedule kiosk. Phase 2 of the project will enhance user mobility by increasing pedestrian and cyclist accessibility to local and intercity transit services, while the provision of a covered bicycle shelter and enclosed transit waiting area will enhance pedestrian and cyclist connectivity.

This project resulted from a combination of three distinct planning processes: The Hanover Bus Stop Feasibility Study (2008), the Southern Grafton County Public Transit-Human Service Transportation Coordination Plan (2008), and the Town of Hanover Master Plan (2003).

The Town of Hanover will procure equipment and contractor services in compliance with Federal and State requirements. The amended total project cost is \$596,520 of which Federal funds will provide 80% (\$477,216), and the Town will provide the required 20% match (\$119,304) through cash and in-kind contributions. The Department requests to extend the completion date from December 31, 2013 to December 31, 2014 in order to complete both Phase 1 and Phase 2 of this project.

All other provisions of the agreement shall remain in effect.

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 has verified that the 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' 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.", written in a cursive style.

Christopher D. Clement, Sr.  
Commissioner

Attachments



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.  
COMMISSIONER

JEFF BRILLHART, P.E.  
ASSISTANT COMMISSIONER

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

Bureau of Rail & Transit  
March 14, 2012

Item 141

approved 4/12/12

REQUESTED ACTION

Authorize the Department of Transportation to enter into an agreement with the Town of Hanover (Vendor 159880), Hanover, New Hampshire, for an amount not to exceed \$294,016 for engineering, permitting, design and construction of improvements to a bus transfer facility in Hanover, effective upon Governor and Council approval through December 31, 2013. 100% Federal.

Funding is available as follows:

04-96-96-964010-2916

Public Transportation

072-500574 Grants to Local Gov't Federal

FY 2012

\$294,016

EXPLANATION

The Department received a request for Federal Transit Administration (FTA) Section 5309 capital program funds from the Town of Hanover, to provide engineering, permitting, design, and construction of improvements to the bus transfer facility on East Wheelock Street in Hanover at the Hanover Inn and Hopkins Center, as described in the December 2008 Hanover Bus Stop Feasibility Study and the Town of Hanover's proposal to the Department dated April 6, 2011.

The Department, working with the Upper Valley Lake Sunapee Regional Planning Commission, completed work on preliminary engineering for an intermodal facility near Interstate 89 in the Lebanon area. A number of sites were evaluated for design and construction of a facility, but the Department did not move forward with a bus terminal and park and ride lot at the highest-rated site due to neighborhood concerns and a lack of local support. Rather, an approach that emphasized smaller intermodal improvements around the region was preferred.

In pursuit of this objective, the Department of Transportation will contract with the Town of Hanover for engineering, permitting, design and construction of improvements to the downtown bus transfer facility located on East Wheelock Street in Hanover. The project will expand the bus stop area to accommodate three buses simultaneously as well as taxis, enhance pedestrian safety and access to the transit services through improved sidewalks, crosswalks and a center island on East Wheelock Street, relocate and improve a bus shelter at the site, and renew and enhance landscaping at the site. Nearly 150 buses per day from five transit and intercity providers use the facility, and these improvements are intended to make transit operations more efficient and more useful and attractive to riders.

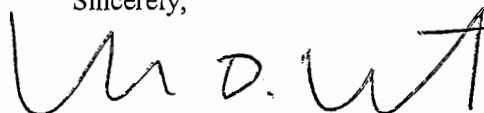
The Town of Hanover will procure consultant and contractor services in compliance with Federal and State requirements. Federal funds will provide 80% (\$294,016), and the Town will provide the required 20% match (\$73,504) through cash and in-kind contributions. The contract amount represents the available balance in a grant from the Federal Transit Administration for intermodal improvements in the I-89 corridor. Completing the project will allow the Department to fulfill the intent of the grant with successful implementation of improvements for travelers in the I-89 corridor.

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 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' 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.", written in a cursive style.

Christopher D. Clement, Sr.  
Commissioner

## Beaulac, Robert

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**From:** Beaulac, Robert  
**Sent:** Thursday, October 09, 2014 9:05 AM  
**To:** Marie Mullen (MMullen@dot.state.nh.us); Danielle Plant (DPlant@dot.state.nh.us)  
**Subject:** G&C Town of Hanover

I have reviewed the G&C request to amend a contract with the Town of Hanover by extending the completion date. I have the following questions or concerns:

1. The requested action is for a time extension only. A review of the documentation clearly shows that there is a change to Exhibit B, Budget. This change from the original approved Exhibit B needs to be in a requested action.

I will return this item through the regular courier run unless I hear from you otherwise. Please call me with any questions or concerns.

BB