



State of New Hampshire

FIS 14 044 78

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

JOHN J. BARTHELMES
COMMISSIONER

March 18, 2014

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

Patton 4/25/14
Approved by Fiscal Committee Date

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

Requested Action

Pursuant to RSA 9:16-c, authorize the Department of Safety, Division of Administration, to transfer \$17,200.00 within the account entitled Dyed Fuel Evasion Enforcement. The request for transfer of funds is to re-align available funds that will be used by the Department for motor fuel training opportunities and conferences held by the Federation of Tax Administrators (FTA) and the International Fuel Tax Agreement (IFTA) Inc. Effective upon Fiscal Committee and Governor and Council approvals through June 30, 2015. Funding source: 100% Federal Funds.

Funds are to be budgeted in the following account:

02-23-23-232010-42440000 Dept of Safety - Division of Administration - Dyed Fuel Evasion Enforcement

<u>Class</u>	<u>Description</u>	<u>Current SFY14</u> <u>Adjusted Authorized</u>	<u>Requested Action</u>	<u>Revised SFY14</u> <u>Adjusted Authorized</u>
<i>Revenue</i>				
000-406804	Federal Funds	\$ (52,146.76)	\$ -	\$ (52,146.76)
<i>Expenditures</i>				
018-500106	Overtime	\$ 16,634.57	\$ (5,000.00)	\$ 11,634.57
020-500200	Current Expenses	\$ 6,232.02	\$ (2,000.00)	\$ 4,232.02
030-500311	Equipment	\$ 12,246.00	\$ (7,000.00)	\$ 5,246.00
040-500800	Indirect Cost	\$ 5,714.08	\$ (1,200.00)	\$ 4,514.08
041-500801	Audit Fee Set Aside	\$ 66.55	\$ -	\$ 66.55
060-500602	Benefits	\$ 3,913.13	\$ (1,000.00)	\$ 2,913.13
070-500705	In-State-Travel	\$ 4,087.00	\$ (1,000.00)	\$ 3,087.00
080-500710	Out-Of-State Travel	\$ 3,253.41	\$ 17,200.00	\$ 20,453.41
	Expenditure Total	\$ 52,146.76	\$ -	\$ 52,146.76

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court

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March 18, 2014
Page 2 of 2

Explanation

This grant is used to create a Federal/State dyed fuel enforcement initiative with utilization of Department of Safety staff trained by the IRS's Certified Fuel Sampling Instructor. The reallocation of funds will allow additional training for the Department of Safety staff by FTA and IFTA to ensure the grant's objectives are met.

The following information is provided in accordance with the Budget Officer's instructional memorandum dated April 17, 1985 to support the above requested actions:

Justification:

Does transfer involve continuing programs or one-time projects? This transfer is to provide sufficient available funds to cover continuing program costs needed for out of state travel as approved by the approving federal agency.

Is this transfer required to maintain existing program level or will it increase the program level? This transfer will allow the Department of Safety, Division of Administration, to maintain the existing program level within Road Toll.

Cite any requirements which make this program mandatory. There are no requirements that make this program mandatory. However, this program has been approved and funded by a federal award.

Identify the source of funds on all accounts listed on this transfer. 100% Federal Funds

Will there be any effect on revenue if this transfer is approved or disapproved? No.

Are funds expected to lapse if this transfer is not approved? No. However, this will result in the Department returning unused Federal funds.

Are personnel services involved? This transfer will move funds from overtime to out of state travel as approved by the approving federal agency.

The request to transfer funds is needed as follows:

- | | |
|-----------|--|
| Class 018 | Decreased to re-align available funds to match the Federal grant award amendment as approved by the Federal granting agency. |
| Class 020 | Decreased to re-align available funds to match the Federal grant award amendment as approved by the Federal granting agency. |
| Class 040 | Decreased to re-align available funds to match the Federal grant award amendment as approved by the Federal granting agency. |
| Class 041 | Decreased to re-align available funds to match the Federal grant award amendment as approved by the Federal granting agency. |
| Class 060 | Decreased to re-align available funds to match the Federal grant award amendment as approved by the Federal granting agency. |
| Class 070 | Decreased to re-align available funds to match the Federal grant award amendment as approved by the Federal granting agency. |
| Class 080 | Increased to re-align available funds to match the Federal grant award amendment as approved by the Federal granting agency for attending motor fuel training opportunities and conferences. |

Respectfully submitted,


John J. Barthelmes
Commissioner of Safety

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

State Agency

33 Hazen Drive

Address (Principal place of work for this agreement)

Concord, NH 03305

City, State, ZIP

John J. Barthelmes

Authorized Representative

Commissioner of Safety

Title

Federal Highway Administration

53 Pleasant Street, Suite 2200

Address

Concord, NH 03301

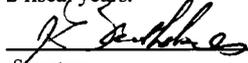
City, State, ZIP

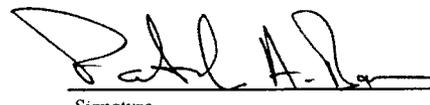
Patrick Bauer

Name

Division Administrator

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.

 2/24/14
Signature *Date*

 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.

List of Provisions from the original
Grant Agreement:

- I. AUTHORITY AND PURPOSE
- II. OBJECTIVE
- III. STATEMENT OF WORK
- IV. ALLOWABLE COST AND PAYMENT
- V. SUBMISSION OF REPORTS

General Provisions

1. DEFINITIONS
2. REGULATION REQUIREMENTS
3. AUDITS
4. MODIFICATIONS
5. SUBCONTRACTS FOR PROFESSIONAL SERVICES
6. STANDARDS FOR FINANCIAL MANAGEMENT SYSTEMS
7. RETENTION AND ACCESS REQUIREMENTS
FOR RECORDS
8. EQUIPMENT
9. DEBARMENT CERTIFICATION
10. MINORITY BUSINESS ENTERPRISE
REQUIREMENTS
11. SUSPENSION OR TERMINATION FOR CAUSE
12. TERMINATION REVIEW PROCEDURE
13. TERMINATION BY MUTUAL AGREEMENT
14. AGREEMENT CLOSE OUT AND COLLECTION OF
AMOUNTS DUE
15. NONDISCRIMINATION
16. MANDATORY ENERGY EFFICIENCY STANDARDS
17. CERTIFICATION REGARDING A DRUG-FREE
WORKPLACE
18. LIMITATION ON THE USE OF FUNDS FOR
LOBBYING
19. CLEAN AIR AND WATER REQUIREMENTS



U.S. Department
of Transportation
Federal Highway
Administration

Memorandum

Subject: **ACTION:** Approval of Project
Amendment

Date: 2/12/2014

From: Michael Dougherty
Program Analyst
Washington, DC. 20590

In Reply Refer To:
HPPI-10

To: Mr. Scott Bryer
Bureau Chief
New Hampshire Department of Safety
Concord, NH 03305

Mr. Bryer,

This office has received your request to amend the agreement for the Joint Federal/State Motor Fuel Tax Compliance Program and approves the transfer of funds to the categories as described in your letter of request. Your agency will still need to abide by the provisions of the original agreement for compliance and reporting purposes. Additionally, the use of the funds must be within the scope of the language in 23 United States Code 143, which identifies the approved use of the funds.

This project will continue to be 100% Federally-funded and has no statutory expiration. However, occasional reviews of open projects occasionally require justification for continuation. As your agency has used funds from several Highway Use Tax Evasion projects in the past, you would follow the same procedures for reimbursement through our Division Office in Concord.

Please let me know if you have any additional questions.

Michael J. Dougherty
Program Analyst, Office of Highway Policy Information
Washington, DC 20590

cc: FHWA, New Hampshire Division

STATE OF NEW HAMPSHIRE



JOHN J. BARTHELMES
COMMISSIONER OF SAFETY

ELIZABETH A. BIELECKI
DIRECTOR OF ADMINISTRATION

DEPARTMENT OF SAFETY
DIVISION OF ADMINISTRATION
BUREAU OF ROAD TOLL ADMINISTRATION
JAMES H. HAYES SAFETY BUILDING
33 HAZEN DRIVE, CONCORD, NH 03305
TDD Access: Relay NH 1-800-735-2964

EARL M. SWEENEY
ASSISTANT COMMISSIONER

SCOTT R. BRYER, CPA
CHIEF OF ROAD TOLL OPERATIONS

February 12, 2014

Mr. Michael Dougherty
FHWA Program Analyst
Federal Highway Administration
1200 New Jersey Ave, SE E83-409
Washington, DC 20590

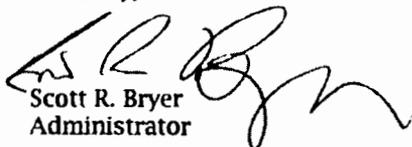
Dear Mr. Dougherty:

The Department of Safety would like to formally request an amendment to the Project Agreement for the Joint Federal/State Motor Fuel Tax Compliance Program. The total grant agreement is \$151,150. The remaining balance is \$47,338.57.

The Department would like to allocate a portion of these funds for motor fuel training opportunities and conferences put on by the Federation of Tax Administrators and the International Fuel Tax Agreement (IFTA) Inc. We request that the funds be reallocated as follows.

State Code	Class	Description	Federal	State	Balance	Proposed Transfer	New Balance
Class 018	Personnel	Overtime			15,076.00	(5,000.00)	10,076.00
Class 020	Supplies	Current Expenses			6,232.44	(2,000.00)	4,232.44
Class 030	Equipment	Equipment			12,246.00	(7,000.00)	5,246.00
Class 040	Other	Indirect Costs			5,265.45	(1,200.00)	4,065.45
Class 041	Other	Audit			61.25	-	61.25
Class 060	Fringe Benefits	Benefits			3,494.90	(1,000.00)	2,494.90
Class 070	Travel	In State Travel			4,033.13	(1,000.00)	3,033.13
Class 080	Travel	Out of State Travel			929.40	17,200.00	18,129.40
					<u>47,338.57</u>	-	<u>47,338.57</u>

Sincerely,


Scott R. Bryer
Administrator

CC: Cindy Vigue, FHWA New Hampshire
Lisa Lienhart