New Hampshire DOT
Department of Transportation

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

VICTORIA F. SHEEHAN
COMMISSIONER

WILLIAM CASS, P.E.
ASSISTANT COMMISSIONER

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

Bureau of Rail & Transit
April 8, 2016

REQUESTED ACTION

Authorize the Department of Transportation (NHDOT) to **amend a sole source agreement** (Contract #2012-132-Part 3) approved by Governor and Council on May 15, 2013, Item 96 with HB Software Solutions, Inc., Vendor # 247984, Lowell, Massachusetts. This amendment request is to amend the contract completion date an additional three years from June 30, 2016 to June 30, 2019, and amend certain aspects of the agreement, effective upon Governor and Council approval. No additional funding is requested.

EXPLANATION

This **sole source amendment** will exercise a three year renewal option to extend the contract agreement an additional three years to complete the regional implementation of a statewide Transportation Coordination System and extend the software maintenance for an additional three years. This is a time extension only and no additional funds are requested. The amendment also revises the contract deliverables and price and payment schedule.

NHDOT, in cooperation with the State Coordinating Council for Community Transportation (SCC), negotiated a contract with HB Software Solutions for the purchase, hosting and maintenance of software for use by the State's nine Regional Coordination Councils and participating transportation providers to promote and facilitate the coordination and improvement of human services transportation and community transportation throughout the State. The **sole source** contract resulted from a Request for Information conducted by the SCC in 2008 and a subsequent multi-year review of coordination software applications and various States' coordination programs by the SCC, which included a representative of the NHDOT.

A coordination model software utilized by the Montachusett Regional Transit Authority (MART) in Fitchburg, MA was selected. MART developed a coordination model that included the utilization of an HB Software Solutions product designed primarily for the New England states and New York. MART received approval from the Federal Transit Administration to allow NHDOT to become a stakeholder in the project and NHDOT entered into a **sole source** agreement with HB Software Solutions, which is the information technology firm for Montachusett Regional Transit Authority (MART). The contract covers licensing, maintenance, hosting, and other direct costs of the software for New Hampshire participating regions.

The contract with HB Software Solutions has provided NHDOT the ability to share transit resources and provides a partner agency in MART to advise and assist. The coordination model and software platform has been a dependable, secure service enabling Regional Coordination Councils and participating transportation providers, including nonprofit agencies, for-profit companies, and volunteer drivers, to more efficiently coordinate their

transportation services. It also provides a single point of access for information sharing, effective trip coordination, web based scalability, low cost operations and maintenance as compared to a commercially off the shelf software product. The State of NH has benefited from being part of this coordination model that includes the utilization of an HB Software Solutions product that was designed primarily for the New England states and New York.

The Agreement has been approved by the Attorney General as to form and execution. 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,

Victoria F. Sheehan

Victoria F. Sheehan
Commissioner

Attachments

STATE OF NEW HAMPSHIRE
DEPARTMENT OF INFORMATION TECHNOLOGY
27 Hazen Dr., Concord, NH 03301
Fax: 603-271-1516 TDD Access: 1-800-735-2964
www.nh.gov/doit

Denis Goulet
Commissioner

April 11, 2016

Victoria F. Sheehan
Commissioner
Department of Transportation
State of New Hampshire
John O. Morton Bldg., 7 Hazen Drive
Concord, NH 03302-0483

Dear Commissioner Sheehan:

This letter represents formal notification that the Department of Information Technology (DoIT) has approved your agency's request to enter into a sole source contract amendment with HB Software Solutions, Inc. as described below and referenced as DoIT number 2012-132A.

> The purpose of this amendment is to extend an additional three years to complete the regional implementation of a statewide Transportation Coordination System and extend the software maintenance for an additional three years with no additional funds request. The contract is effective upon Governor and Executive Council approval through June 30, 2019.

A copy of this letter should accompany the Department of Transportation's submission to the Governor and Executive Council for approval.

Sincerely,

Denis Goulet

DG/mh
DoIT 2012-132A

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
TRANSPORTATION COORDINATION SERVICES SYSTEM
CONTRACT 2012-132
CONTRACT AMENDMENT 2012-132A

WHEREAS, pursuant to an Agreement approved by Governor and Council, as a result of Contract #2012-132, on May 15, 2013, Item # 96, (herein after referred to as the "Agreement"), HB Software Solutions Inc., (hereinafter referred to as the "Vendor", "HBSS") agreed to supply certain software services upon the terms and conditions specified in the Agreement and in consideration of payment by the Department of Transportation, (hereinafter referred to as the "Department") certain sums as specified therein;

WHEREAS, pursuant to the Agreement Section 18: *Amendment*, and the provisions of the Agreement, the Agreement may be modified or amended only by a written instrument executed by the parties thereto and approved by the Governor and Executive Council;

WHEREAS, the Vendor and the Department have agreed to amend the Agreement in certain respects;

WHEREAS, the Department and the Vendor wish to extend the completion date from June 30, 2016 to June 30, 2019;

WHEREAS, the Department and the Vendor wish to amend Exhibit A, Contract Deliverables;

WHEREAS, the Department and the Vendor wish to amend Exhibit B, Price and Payment Schedule;

WHEREAS, the Department and the Vendor seek to clarify the Agreement.

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Agreement and set forth herein, the parties agree as follows:

Contract Agreement-General Provisions is hereby amended as follows:

1. Amend Section 1.7 of the Agreement (Page 1) by extending the Completion Date from June 30, 2016 to June 30, 2019.

The Statement of Work is hereby amended as follows:

Exhibit A: *Contract Deliverables*, of the Agreement is hereby amended as follows:

1. Amend Section 2. *Deliverables, Milestones and Activities Schedule* to include revisions to Table 2.1 *Implementation Schedule – Activities/Deliverables/Milestones* to reflect the addition of new deliverables and deliverable dates as detailed below in Table 1:

Ref Num	Activity, Deliverable, or Milestone	Deliverable Type	Projected Delivery Date		
			MM	DD	YY
10	Recommended Required Upgrades to State Infrastructure Report	Written	7	15	16
16	Comprehensive Training Plan and Curriculum	Written	7	15	16
17	End User Support Plan	Written	7	15	16
19	Software Installed, Configured, and Operational to satisfy State requirements	Software	7	15	16
19	Software Installed, Configured, and Operational to satisfy State requirements	Software	9	1	16
27	Conduct Training/I.43	Non-Software	7	15	16
28	Cutover to New Software	Non-Software	9	21	16
33	Conduct Project Exit Meeting	Non-Software	9	15	16
34	Hosting (Year 3)	Non-Software	11/1/16	through	10/31/17
34	Hosting (Year 4)	Non-Software	11/1/17	through	10/31/18

34	Hosting (Year 5)	Non-Software	11/1/18	through	10/31/19
35	Warranty/Maintenance (Year1)	Non-Software	10/1/16	through	9/30/17
35	Warranty/Maintenance (Year 2)	Non-Software	10/1/17	through	9/30/18
35	Warranty/Maintenance (Year 3)	Non-Software	10/1/18	through	9/30/19

Amend Exhibit B, Price and Payment Schedule, 1. Deliverable Payment Schedule to reflect the new Completion Date of June 30, 2019.

1. Amend Section 1.1 *Not to Exceed* to reflect only the changes detailed below:

Deliverable Payment Schedule Section 1.1 Not to Exceed	**Delete:** "This is a Not to Exceed (NTE) Contract totaling $341,675 for the period between the Effective Date through 6/30/2016." **Replace with:** "This is a Not to Exceed (NTE) Contract totaling $341,675 for the period between the Effective Date through 6/30/2019."

2. *Price and Payment Schedule – Activities/Deliverables/Milestone* to reflect the amended deliverable dates as detailed below in Table 2:

Ref Num	Activity, Deliverable, or Milestone	Deliverable Type	Projected Delivery Date			Payment Due	Invoice Amount
			MM	DD	YY		
11	Recommended Required Upgrade to State Infrastructure Report	Written	7	15	16	$977.27	$977.27
17	Comprehensive Training Plan and Curriculum	Written	7	15	16	$977.27	$977.27
18	End User Support Plan	Written	7	15	16	$977.27	$977.27
20	Software Installed, Configured, and Operational to satisfy State requirements (50%)	Software	7	15	16	$21,641.50	$21,641.50
20	Software Installed, Configured, and Operational to satisfy State requirements (50%)	Software	9	1	16	$21,641.50	$21,641.50
29	Conduct Training/I.43	Non-Software	7	15	16	$1,954.53	$1,954.53
30	Cutover to New Software	Non-Software	9	1	16	$977.27	$977.27
33	Conduct Project Exit Meeting	Non-Software	9	15	16	$1,876.35	$1,876.35
34	Hosting (Year 3)	11/1/16 to 10/31/17				$12,540.00	$12,540.00
34	Hosting (Year 4	11/1/17 to 10/31/18				$12,671.67	$12,671.67
34	Hosting (Year 5)	11/1/18 to 10/31/19				$12,804.73	$12,804.73
35	Warranty/Maintenance (Year 2)	Non-Software				$27,406.00	$27,406.00
35	Warranty/Maintenance (Year 3)	Non-Software				$27,406.00	$27,406.00
	Total					**$143,851.36**	**$143,851.36**

3. Amend the *Warranty/Maintenance Table* as detailed below.

Delete:
Warranty/Maintenance Table

Year	Start Date	End Date	Note	
Year 1	Start date of contract (7/1/2013)	12 months after start date of contract (7/1/2014)	Covered by HBSS	
Year 2	7/1/2014	7/1/2015	Paid by NHDOT	
Year 3	7/1/2015	9/30/2016	Paid by NHDOT	

Replace with:
Warranty/Maintenance Table

Year	Start Date	End Date	Note	
Year 1	10/1/2016	9/30/2017	Covered by HBSS	
Year 2	10/1/2017	9/30/2018	NHDOT $27,406.00	
Year 3	10/1/2018	9/30/2019	NHDOT $27,406.00	

Except as provided herein, all provisions of the Agreement shall remain in full force and effect. This modification shall take effect upon the approval date from the Governor and the Executive Council.

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
TRANSPORTATION COORDINATION SERVICES SYSTEM
CONTRACT 2012-132-PART 3
CONTRACT AMENDMENT

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

HB Software Solutions, Inc.

Name

Date: 3/29/16

Chief Operating Officer
Title

Corporate Signature Notarized:

STATE OF Massachusetts COUNTY OF Middlesex

On this the 29th day of March, 2016, before me, Himanshu Bhatnagar, the undersigned Officer Himanshu Bhatnagar, personally appeared and acknowledged her/himself to be the COO, of HB Software Solutions, Inc, a corporation, and that she/he, as such Himanshu Bhatnagar being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by her/himself as Chief Operating Officer.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public/Justice of the Peace

My Commission Expires: April 10, 2020

DAVID M. ROMANOFF
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 10, 2020

NH Department of Transportation

Date: 4/4/16

Patrick C. Herlihy
Director of Aeronautics, Rail & Transit
NH Department of Transportation

Approved by the Attorney General (Form, Substance and Execution)

Date: 4/20/16

State of New Hampshire, Department of Justice

Approved by Governor and Council

Date" MAY 04 2016

DEPUTY SECRETARY OF STATE