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**Suzan M. Lehmann**  
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August 12, 2013

**Via Email (603-271-1107) and Regular Mail**

Craig Bulkley, Director  
Division of Administration  
New Hampshire Liquor Commission  
P.O. Box 503  
Concord, NH 03302-0503

Dear Mr. Bulkley:

I write in response to your email today to Ms. Kathleen Carter, a legal secretary in my office. Your email purports to respond to my Right to Know request dated August 9, 2013 to the N.H. Liquor Commission for production of information relating to RFP 2013-14 (transportation services), including but not limited to, the complete contract between the Liquor Commission and Exel, Inc. Your email simply restates state law, RSA 21-I-13-a, II, and does not justify or support the withholding of any of the requested information, including but not limited to the complete contract with Exel. See Exhibit A.

Under state law, RSA 21-I:13-a, II, information relating to specific bids or proposals are public information once the contract is placed on the public agenda for the meeting of the Governor and Executive Council (G & C). On Friday, August 9, 2013, you sent my client, Law Motor Freight, Inc., notification by email that the proposed contract with Exel is included in the public agenda for the upcoming G & C meeting on Wednesday, August 14, 2013, and you included a link to public posting of that G & C agenda. See Exhibit A. Upon posting of the Exel contract on the G & C agenda, information concerning the RFP became public information. Your counsel, the NH Attorney General, has itself stated in its Memorandum on the Right to Know Law, that under RSA 21-I:13-a, II information about a specific bid is public information once the proposed contract is included on the public G& C agenda. The Attorney General states in its Memorandum:

“Information concerning specific bids or proposals may be disclosed when the proposed contract and accompanying documents are placed on the public Governor and

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Craig Bulkley  
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Executive Council agenda for approval or at a time when sealed competitive bids are opened before the public.”

See Attorney General’s Memorandum on New Hampshire’s Right to Know Law, RSA Chapter 91-A, at page 24 (excerpt attached). Accordingly, the information requested in my Right to Know Letter dated August 9, 2013 is a matter of public record and must be made immediately available for inspection and copying.

Also, the Liquor Commission’s posting of only a portion of the contract with Exel is wholly insufficient to meet the Liquor Commission’s obligations under the Right to Know Law to produce information concerning the bid. For example, critical components of the contract are missing, including but not limited to Exhibit E which contains the terms that take precedence and govern the agreement the Liquor Commission has reached with Exel. Without disclosure of those terms and conditions governing the deal struck between the Liquor Commission and Exel, there is no way for the public to know the operative terms of the proposed contract with Exel and what deal their representatives, the G & C, are being asked to approve by the Liquor Commission.

In sum, RSA 21-I:13-a, II provides no authority to the Liquor Commission to withhold any of the requested information, including without limitation, Exhibit E of the proposed contract with Exel. We demand that the Liquor Commission immediately produce all information requested in my letter dated August 9, 2013, including Exhibit E of the proposed Exel contract. Finally, please direct all future communications regarding this matter to my attention.

Thank you for your immediate attention to this matter.

Sincerely,



Suzan M. Lehmann  
SML:

51934119

cc: Brian Law

**Jordan, Diane E.**

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**From:** Lehmann, Suzan M.  
**Sent:** Monday, August 12, 2013 2:11 PM  
**To:** Lehmann, Suzan M.  
**Subject:** FW: Law Motor Freight

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**From:** Craig W. Bulkley [<mailto:cbulkley@liquor.state.nh.us>]  
**Sent:** Friday, August 09, 2013 9:50 PM  
**To:** Carter, Kathleen M.  
**Cc:** Judge, Steve  
**Subject:** RE: Law Motor Freight

Pursuant to RSA21-I:13-a,II No information shall be available to the public, the members of the general court or its staff, notwithstanding the provisions of RSA 91-A:4, concerning specific invitations to bid or other proposals for public bids, from the time the invitation or proposal is made public until the bid is actually awarded, in order to protect the integrity of the public bidding process. (emphasis added)

-----Original Message-----

**From:** Carter, Kathleen M. [<mailto:kcarter@hinckleyallen.com>]  
**Sent:** Fri 8/9/2013 5:10 PM  
**To:** Craig W. Bulkley  
**Cc:** 'brianlaw@lawwarehouses.com'; Lehmann, Suzan M.  
**Subject:** Law Motor Freight

Mr. Bulkley,

The attached correspondence is being submitted on behalf of Suzan Lehmann of this office.  
Thank you.

Kathleen M. Carter <[www.hinckleyallen.com](http://www.hinckleyallen.com)>  
Legal Secretary

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IRS CIRCULAR 230 DISCLOSURE. To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this email was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

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New Hampshire

William M. Gardner | Secretary of State

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## GOVERNOR AND EXECUTIVE COUNCIL

## AGENDA

Welcome Center, Plymouth State

University, Plymouth, NH

August 14, 2013, 10:00 a.m.

#1 **CONSENT CALENDAR – OUT OF STATE TRAVEL:****NEW HAMPSHIRE JOINT BOARD OF LICENSURE AND CERTIFICATION**

- A. [Authorize \(/WorkArea/DownloadAsset.aspx?id=44006\)](/WorkArea/DownloadAsset.aspx?id=44006) Electrical Inspectors, Dean Sotirakopoulos, Al Torrisi, Kenneth Vallery and John Plourde to travel outside of a 300 mile radius other than by aircraft, to Niagara, New York for the International Association of Electrical Inspectors Eastern Section meeting for 4 days of out-of-state travel status from September 26, 2013 to September 29, 2013.

#2 **CONSENT CALENDAR - TUITION:****NEW HAMPSHIRE LOTTERY COMMISSION**

- A. [Authorize \(/WorkArea/DownloadAsset.aspx?id=44007\)](/WorkArea/DownloadAsset.aspx?id=44007) to enter Nancy Parry into an Educational Tuition Agreement with NHTI, Concord's Community College, Concord, NH, to participate in the course entitled "Accounting I", for the period of September 5, 2013 through January, 2014 and to pay said costs not to exceed \$690. **Lottery Funds.**

**NEW HAMPSHIRE LOTTERY COMMISSION**

- B. [Authorize \(/WorkArea/DownloadAsset.aspx?id=44008\)](/WorkArea/DownloadAsset.aspx?id=44008) to enter Ju-Chen Troncone into an Educational Tuition Agreement with Middlesex Community College, Lowell, MA, to participate in the course entitled

“Computerized Accounting”, for the period of September 4, 2013 through December 21, 2013 and to pay said costs not to exceed \$664. **Lottery Funds.**

#### NEW HAMPSHIRE LOTTERY COMMISSION

C. [Authorize \(/WorkArea/DownloadAsset.aspx?id=44009\)](#) to enter Leonard Mannino into an Educational Tuition Agreement with Granite State College, Concord, NH, to participate in the course entitled “Critical

Inquiry, Principals of Management”, for the period of September 9, 2013 through December 6, 2013 and to pay said costs not to exceed \$2,280. **Lottery Funds.**

#### DEPARTMENT OF ENVIRONMENTAL SERVICES

D. [Authorize \(/WorkArea/DownloadAsset.aspx?id=44010\)](#) to enter Patrick Bell into an Educational Tuition Agreement with the University of Wyoming, Laramie, WY, to participate in the course entitled “CE 4700

Coastal Water Boundaries”, for the period of August 26, 2013 through December 10, 2013 and to pay said costs in the amount of \$795. **100% General Funds.**

#### DEPARTMENT OF INFORMATION TECHNOLOGY

[#3 \(/WorkArea/DownloadAsset.aspx?id=44011\)](#) Authorize to amend a **sole source** contract with Seneca Corporation of Vienna, VA, (originally approved by G&C on 8-9-06, item #3), for help desk support services for DHHS business units and the users of the Secretary of State Vital Records System, by increasing the amount by \$381,200 from \$3,706,073.20 to \$4,087,273.20, and by extending the end date from September 1, 2013 to August 31, 2014. **100% Other (Agency Class 27) Funds: the agency Class 27 used by DHHS to reimburse DoIT for the contract is 58% General, 42% Federal Funds. SOS shall reimburse DoIT with 100% Other (Vital Records) Funds.**

#### OFFICE OF THE ADJUTANT GENERAL

#4 Authorize the confirmation of Captain Robert J. Groves, Merrimack, NH, for promotion to the rank of Major, NH Air National Guard.

#5 Authorize the confirmation of Major Matthew B. Holloway, Stratham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#6 Authorize the confirmation of Major Alyn L. Theriault, Milford, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#### DEPARTMENT OF ADMINISTRATIVE SERVICES

[#7 \(/WorkArea/DownloadAsset.aspx?id=44015\)](#) Authorize to enter into a 20 year Driveway Use Agreement with Bindery Redevelopment LLC, to provide public vehicular access to the rear corner of the Bindery Redevelopment parcel located at 43-45 South Main Street in Concord using the abutting State-owned driveway, which also provides rear access from South Main Street to the State land and buildings located at 12 Hills Ave in Concord. Bindery Redevelopment LLC will not be charged for the use of the driveway but rather will assume sole responsibility for driveway repavement, maintenance, and snow removal throughout the term of the agreement. Effective upon G&C approval.

[#8 \(/WorkArea/DownloadAsset.aspx?id=44016\)](#) Authorize to amend a contract with First Data Services LLC, Delaware, (originally approved by G&C on 7-16-08, item #23) for Merchant Card processing services, by extending the completion date from September 1, 2013 to January 1, 2014. Funding for this service shall be paid through a transaction fee that is deducted from the gross revenue of each respective transaction.

[#9 \(/WorkArea/DownloadAsset.aspx?id=44017\)](#) Authorize to amend a contract with Concord Steam Corporation, Concord, NH, (originally approved by G&C on 8-11-10, item #17), to operate the boiler plant located at the Governor Hugh J. Gallen State Office Park, by extending the term of the License for Use of Premises between the parties from

August 31, 2013 to August 31, 2016, for a total additional amount not to exceed \$301,546.80. **100% License Fee Revenue (General Funds).**

#10 (/WorkArea/DownloadAsset.aspx?id=44018) Authorize the Bureau of Public Works Design and Construction to enter into a contract with SUR Construction Inc., Rochester, NH, for the Rochester Site Improvements, for a total price not to exceed \$484,690. (2)Further authorize the amount of \$30,000 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$514,690. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#11 (/WorkArea/DownloadAsset.aspx?id=44019) Authorize the Bureau of Public Works Design and Construction to enter into a contract with D. L. King Associates Inc., Nashua, NH for the State House Dome Repairs, Concord, NH, for a total price not to exceed \$972,890. (2)Further authorize the amount of \$57,650 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for Capital Clerk oversight services provided, bringing the total to \$1,030,540. Effective upon G&C approval through October 31, 2014. **100% Capital - General Funds.**

#12 (/WorkArea/DownloadAsset.aspx?id=44020) Authorize to enter into a contract with Jic-Elco Inc., Derry, NH, for providing relocation and reconfiguration services for five rooms of existing furniture panel systems workstations which will enhance efficiencies and teamwork by locating all of the Departments' Financial Data Management staff in a single, unified suite of space, in an amount not to exceed \$3,800. Effective upon G&C approval through September 30, 2013.

#12A (/WorkArea/DownloadAsset.aspx?id=44021) Authorize a Working Capital Warrant in the amount of \$400,000,000 to cover the payment of expenditures for the month of September.

#12B (/WorkArea/DownloadAsset.aspx?id=44022) Authorize to accept and place on file the report for transfers processed from April 1, 2013 through June 30, 2013. (2)Further authorize to make transfers from the salary Adjustment Fund to agency permanent personnel service accounts for July 1 – September 30, 2013, and to report transfers made as soon as practical after September 30, 2013 and prior to request for further authority. (3)Further authorize to make transfers from the Benefit Adjustment Fund to agency benefit accounts for July 1 – September 30, 2013, and to report transfers made as soon as practical after September 30, 2013 and prior to request for further authority.

#### STATE TREASURY

#13 (/WorkArea/DownloadAsset.aspx?id=44023) Authorize to issue a warrant from funds not otherwise appropriated in the amount of \$67,413 and the State Treasurer to issue checks in the amount of \$67,412.20 to the rightful owners of abandoned or unclaimed funds.

#### DEPARTMENT OF REVENUE ADMINISTRATION

#14 (/WorkArea/DownloadAsset.aspx?id=44024) (/WorkArea/DownloadAsset.aspx?id=44024) Authorize to place Mr. Donald Dibble at the second step for the position of Field Audit Leader, of the Audit Division, (9U153) unclassified salary grade DD, earning \$64,063.76 annually. Effective August 14, 2013. **100% General Funds.**

#15 (/WorkArea/DownloadAsset.aspx?id=44025) Authorize to enter into a contract with Premiere Credit of North America LLC, Indianapolis, IN, to perform Debt Collection Litigation Services for debts accumulated by out-of-state taxpayers for the Department. Effective upon G&C approval for one year from date of approval. This contract incurs no outlay of State funds as Premiere Credit is working on a percentage rate of recovery basis. As a first placement debt collector in the debt collection process, Premier Credit will retain 18% from any funds that are recovered without litigation, as a second placement debt collector in the collection process, Premiere Credit will retain 23% of funds collected without ligation; if litigation is required and approved by the Department, Premiere Credit shall retain 35%.

#16 (/WorkArea/DownloadAsset.aspx?id=44026) Authorize to **retroactively** pay the Federation of Tax Administrators, Washington, DC, in the amount of \$8,845 for organizational dues. Effective July 1, 2013 through June 30, 2014. **100% General Funds.**

#### DEPARTMENT OF JUSTICE

#17 Authorize to appoint Lisa L. Wolford as an Assistant Attorney General at a salary of \$65,000. Effective upon G&C approval through August 13, 2018.

#18 Authorize to appoint Patrick J. Queenan to an Assistant Attorney General at a salary of \$60,000. Effective upon G&C approval through July 31, 2018.

#19 Authorize to appoint Michael J. Forti as the Deputy Commander of the NH Attorney General's Drug Task Force at a salary of \$68,200.13(LG BB, Maximum). Effective September 6, 2013 through July 1, 2014.

#20 Authorize to designate John J. Kennedy as an Attorney at a salary of \$59,000. Effective August 30, 2013.

#21 ([/WorkArea/DownloadAsset.aspx?id=44031](#)) Authorize to enter into a grant with Media Power Youth in the amount of \$50,000 from the NH Department of Justice budget, to support the creation and implementation of violence prevention through media literacy education programming. Effective upon G&C approval through June 30, 2015. **100% General Funds.**

#22 ([/WorkArea/DownloadAsset.aspx?id=44032](#)) Authorize to enter into a sub grant with the Community Council of Nashua totaling \$8,800 from the Violence Against Women Formula Grant for the purpose of providing services for victims in NH who have a history of family violence. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

#22A NOT USED

#22B ([/WorkArea/DownloadAsset.aspx?id=44033](#)) Authorize salary increases for attorneys in the Department of Justice. Effective for the pay period ending August 22, 2013 to be paid on September 6, 2013. Effective upon G&C approval.

#22C Authorize to appoint Kevin McCarthy as a Criminal Investigator at a salary of \$68,200.13 (LG BB, Maximum) for a term effective August 16, 2013 through July 1, 2014.

#22D Authorize to reappoint Nancy J. Smith as a Senior Assistant Attorney General, at a salary level of \$95,939, for a term effective September 1, 2013 through September 1, 2018.

#22E Authorize to appoint Mark J. Myrdek as a Criminal Investigator at a salary of \$64,846.32 (LG BB, Step 4) for a term effective August 16, 2013 through December 31, 2017.

#22F Authorize to appoint John J. Conforti as an Assistant Attorney General, at a salary level of \$63,684. Effective August 16, 2013 through August 15, 2018.

#22G Authorize to appoint Sarah T. Blodgett as an Assistant Attorney General, at a salary level of \$63,180. Effective August 16, 2013 through August 15, 2018.

#22H Authorize to appoint Geoffrey W. R. Ward as an Assistant Attorney General at a salary level of \$61,000. Effective August 16, 2013 through August 15, 2017.

#22I Authorize to reappoint Lynmarie C. Cusack as an Assistant Attorney General at a salary level of \$73,024. Effective September 4, 2013 through September 4, 2018.

#22J Authorize to appoint Todd M. Flanagan as a Criminal Investigator at a salary level of \$68,200.13 (LG BB, Maximum). Effective August 16, 2013 through December 31, 2017.

#### DEPARTMENT OF LABOR

#23 ([/WorkArea/DownloadAsset.aspx?id=44042](#)) Authorize an exemption to increase the Department's fleet by three vehicles to be assigned to three new Labor Inspectors in the Workers' Compensation Division, Concord.

#### NEW HAMPSHIRE EMPLOYMENT SECURITY

#24 ([/WorkArea/DownloadAsset.aspx?id=44043](#)) Authorize to accept a donation from St. Vincent de Paul Society, Exeter, in the form of no cost leave space for the purpose of offering employment support to residents in Exeter area as needed. Donation value is estimated to be \$1,500 per year. Effective upon G&C approval through a period of three years, with the option to renew for one additional year increments.

#25 ([/WorkArea/DownloadAsset.aspx?id=44044](#)) Authorize to make a **retroactive** payment in the amount of \$1,546.43 to Donna Collinsworth, Interviewer 1, LG 16, step 6 for a step increment which was not processed in SFY2011 in error. **100% Federal Funds.**

[#26 \(/WorkArea/DownloadAsset.aspx?id=44045\)](#) Authorize to extend the positions as detailed in letter dated July 18, 2013, in a temporary status for one year, with an estimated fiscal impact to SFY 2014 in the amount of \$352,252.05. **100% Federal Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Division for Children, Youth and Families**

[#27 \(/WorkArea/DownloadAsset.aspx?id=44046\)](#) [\(/WorkArea/DownloadAsset.aspx?id=44046\)](#) Authorize to **retroactively** pay annual membership to the Interstate Commission for Juveniles, Lexington, KY, in the amount of \$12,000. Effective July 1, 2013 through June 30, 2014. **25% Federal, 75% General Funds.**

**Bureau of Homeless and Housing Services**

[#28 \(/WorkArea/DownloadAsset.aspx?id=44047\)](#) Authorize to enter into **retroactive** agreements with My Friends Place, in the amount of \$101,260; NH Coalition Against Domestic and Sexual Violence, in the amount of \$554,746; and NH Legal Assistance, in the amount of \$102,154, to provide services to homeless individuals in an amount not to exceed \$758,160. Effective July 1, 2013 through June 30, 2015. **100% General Funds.**

**New Hampshire Hospital**

[#29 \(/WorkArea/DownloadAsset.aspx?id=44048\)](#) Authorize to enter into an agreement with ECOLAB Inc., St. Paul, MN, for the preventive maintenance and repair of food service equipment used in the Acute Psychiatric Services building and Brown building, in the amount not to exceed \$35,000. Effective upon G&C approval through June 30, 2015. **66% General, 29% Federal, 5% Agency Funds.**

**Bureau of Facilities and Assets Management**

[#30 \(/WorkArea/DownloadAsset.aspx?id=44049\)](#) Authorize to amend a **sole source retroactive** lease with Cablecar Realty LLC, Nashua, NH (originally approved by G&C on 6-22-05, item #317), for continued occupation by the Laconia District Office, by increasing the price in the amount of \$633,364.20 to \$2,522,698.20 from \$1,889,334 and by extending the term from June 30, 2013 to December 31, 2015. **60% General, 40% Federal Funds.**

**Office of Medicaid Business and Policy**

[#31 \(/WorkArea/DownloadAsset.aspx?id=44050\)](#) [\(/WorkArea/DownloadAsset.aspx?id=44050\)](#) Authorize to enter into an agreement with Health Services Advisory Group inc., Phoenix, AZ, to provide external quality review for NH's Medicaid Fee-For-Service and Care Management programs in an amount not to exceed \$1,692,344. Effective upon G&C approval through July 24, 2016. **75% Federal, 25% General Funds.**

**Office of Information Services**

[#32 \(/WorkArea/DownloadAsset.aspx?id=44051\)](#) Authorize to amend a **sole source** contract with Cognosante LLC, Scottsdale, AZ (originally approved by G&C on 12-1-04, item #E), for continuation of quality assurance services and expansion of the scope of services in compliance with the Centers for Medicare and Medicaid Services, by increasing the price limitation by \$986,400 from \$12,270,475 to a new amount not to exceed \$13,256,875, and by extending the completion date from December 31, 2014 to June 30, 2015. **90% Federal, 10% General Funds.**

[#33 \(/WorkArea/DownloadAsset.aspx?id=44052\)](#) Authorize to enter into a **sole source** agreement with Netsmart Technologies Inc., Great River, NY, for electronic health record services, for an amount not to exceed \$129,000. Effective upon G&C approval through June 30, 2015. **100% General Funds.**

**Division of Family Assistance**

[#34 \(/WorkArea/DownloadAsset.aspx?id=44053\)](#) Authorize to accept and expend Federal Funds in the amount of \$54,044 from the US Department of Agriculture, Food and Nutrition Services, to support Farms, and Farmer's Market participation in the Supplemental Nutrition Assistance Program for the purpose of expanding the availability of wireless point-of-sale equipment to farmers and Farmer's Markets who were not SNAP authorized on or before November 18, 2011. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

[#35 \(/WorkArea/DownloadAsset.aspx?id=44054\)](#) Authorize to award a **retroactive** grant totaling \$227,115 to the City of Nashua Transit System, Nashua, NH, to provide matching funds for the City of Nashua's Federal Department of Transportation's Job Access Reverse Commute grant. Effective July 1, 2013 through June 30, 2015. **100% Federal Funds.**

**Division of Public Health Services**

[#36 \(/WorkArea/DownloadAsset.aspx?id=44055\)](#) Authorize the Bureau of Public Health Protection, Climate Change and Public Health Program to enter into a **sole source** agreement with the United States Geological Survey, NH and VT Office, New England Water Science Center, Pembroke, NH, to provide data and tools that map specific climate change watershed impact statewide, in an amount not to exceed \$50,000. Effective upon G&C approval through March 31, 2014. **100% Federal Funds.**

[#37 \(/WorkArea/DownloadAsset.aspx?id=44056\)](#) Authorize the Bureau of Population Health and Community Services, Healthy Eating and Physical Activity Section, Senior Farmers' Market Nutrition Program, to enter into an agreement with Community Action Program of Belknap and Merrimack Counties Inc., Concord, NH, to provide administrative oversight for the implementation of the Senior Farmers' Market Nutrition Program in NH, in an amount not to exceed \$173,810. Effective October 1, 2013 or upon G&C approval, whichever is later, through September 30, 2015. **100% Federal Funds.**

[#38 \(/WorkArea/DownloadAsset.aspx?id=44057\)](#) Authorize the Bureau of Population Health and Community Services, Chronic Disease Prevention and Screening Section, Tobacco Prevention and Control Program to enter into a **sole source** agreement with JSI Research and Training Institute Inc., d/b/a Community Health Institute, Bow, NH, to provide nicotine replacement patches and behavioral change counseling to NH residents that smoke and want assistance to quit, in an amount not to exceed \$250,000. Effective September 1, 2013 or upon G&C approval, whichever is later, through June 30, 2015. **100% General Funds.**

[#39 \(/WorkArea/DownloadAsset.aspx?id=44058\)](#) Authorize the Bureau of Infectious Disease Control, Tuberculosis Program, to enter into a **sole source** agreement with the Manchester Health Department, Manchester, NH, to provide tuberculosis prevention and control services in the Greater Manchester area, in an amount not to exceed \$35,000. Effective **retroactive** to July 1, 2013 through June 20, 2014. **100% General Funds.**

#### Division of Community Based Services

[#40 \(/WorkArea/DownloadAsset.aspx?id=44059\)](#) Authorize to amend a **sole source** agreement with Milliman Inc., Brookfield, WI, to provide Actuarial Services related to the State Innovation Model project, by increasing the price by \$446,750 from \$2,701,560 to \$3,148,310. Effective upon G&C approval. **100% Federal Funds.**

#### Bureau of Elderly & Adult Services

[#41 \(/WorkArea/DownloadAsset.aspx?id=44060\)](#) Authorize to enter into agreements with the multiple vendors as detailed in letter dated July 25, 2013, as Medical Services Consultants to complete medical eligibility assessments for Medicaid applicants seeking Long Term Care services in an amount not to exceed \$217,012.50 in the aggregate. Effective upon G&C approval through June 30, 2014. **75% Federal, 25% General Funds.**

#### Bureau of Drug and Alcohol Services

[#42 \(/WorkArea/DownloadAsset.aspx?id=44061\)](#) [\(/WorkArea/DownloadAsset.aspx?id=44061\)](#) Authorize to enter into an agreement with Geovision Inc, Watertown, MA, to provide hosting, maintenance, enhancement and support to the alcohol, tobacco and other drug prevention, intervention and treatment public awareness and best practice web site, in an amount not to exceed \$54,200. Effective upon G&C approval through June 30, 2015. **50% Federal, 50% General Funds.**

[#43 \(/WorkArea/DownloadAsset.aspx?id=44062\)](#) Authorize to enter into an agreement with the Portsmouth School District, Portsmouth, NH, to provide Evidence Based Student Assistance Programming, in the amount of \$280,000. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#### DEPARTMENT OF CORRECTIONS

[#44 \(/WorkArea/DownloadAsset.aspx?id=44063\)](#) Authorize to enter into a **retroactive** contract with Hodges Thermal Design LLC, Concord, NH, to provide Refrigeration Maintenance and Repair services in the amount of \$55,805. Effective July 1, 2013 through June 30, 2015, with the option to renew for one additional period of two years. **100% General Funds.**

[#45 \(/WorkArea/DownloadAsset.aspx?id=44064\)](#) Authorize to enter into a **retroactive** contract with W R Bevans Fire Alarms Inc., Boscawen, NH, to provide Fire Alarm services in the amount of \$149,588. Effective July 1, 2013 through June 30, 2015, with the option to renew for one additional period of two years. **100% General Funds.**

[#46 \(/WorkArea/DownloadAsset.aspx?id=44065\)](#) Authorize to enter into a **retroactive** contract with Symphony Diagnostic Services No. 1 Inc., d/b/a MobilxUSA, Horsham, PA, to provide On-Site I-Ray, Electrocardiography &

Holter Monitoring services in the amount of \$252,164. Effective August 4, 2013 through June 30, 2015, with the option to renew for one additional period of two years. **100% General Funds.**

[#47 \(/WorkArea/DownloadAsset.aspx?id=44066\)](#) Authorize to enter into a **retroactive** contract with Control Technologies Inc., d/b/a Control Technologies A Representative of SIEBE, Manchester, NH, to provide HVAC services in the amount of \$77,352. Effective July 1, 2013 through June 30, 2015, with the option to renew for one additional period of two years. **100% General Funds.**

[#47A \(/WorkArea/DownloadAsset.aspx?id=44067\)](#) Authorize to pay **retroactive** State Fiscal year 2013 invoices dated November 12, 2012 through May 31, 2013 in the amount of \$8,453.79 to vendors as detailed in letter dated August 5, 2013, for various materials or services provided to Correctional Industries, with current State fiscal year 2014 funds. Effective upon G&C approval. **100% Agency Income.**

#### OFFICE OF CONSUMER ADVOCATE

[#48 \(/WorkArea/DownloadAsset.aspx?id=44068\)](#) Authorize to enter into a contract with Synapse Energy Economics Inc., to monitor regional market developments and assist the OCA in its participation in the regulation, governance and operation of the New England regional electric power markets and transmission grid in the amount of \$68,420. Effective upon G&C approval through June 30, 2015. **100% Public Utility Assessment.**

#### NEW HAMPSHIRE LIQUOR COMMISSION

[#48A \(/WorkArea/DownloadAsset.aspx?id=44069\)](#) Authorize to enter into a contract with Exel, Westerville, OH, for transportation services for spirit and wine and related products from the contracted warehouse in Bow, NH to the network of 77 liquor and wine outlets as well as the state-owned warehouse in Concord, for the period of November 1, 2013 through January 31, 2019, with the option to renew for two additional five-year periods. **100% Liquor Funds.**

#### DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

[#49 \(/WorkArea/DownloadAsset.aspx?id=44070\)](#) Authorize the Division of Travel and Tourism to award grants to the organizations as detailed in letter dated July 17, 2013, in the total amount of \$544,948.33 for their 2013-2014 in-state and out-of-state marketing projects under the Joint Promotional Program. Effective upon G&C approval. **100% General Funds.**

[#50 \(/WorkArea/DownloadAsset.aspx?id=44071\)](#) Authorize the Division of Parks and Recreation to enter into a **retroactive sole source** contract with the Student Conservation Association Inc., Charlestown, NH, to provide interpretive services for various parks, in the amount of \$115,480. Effective January 1, 2013 through December 31, 2014. **100% Park Funds.**

[#50A \(/WorkArea/DownloadAsset.aspx?id=44072\)](#) Authorize the Division of Forests and Lands request for exemption and increase the fleet size by two vehicles ((1) 4x4 full-size pickup truck, and (1) 4x4 sport utility vehicle) which were approved through the Fiscal Year 2014-2015 budget process. Effective upon G&C approval.

#### NEW HAMPSHIRE FISH AND GAME DEPARTMENT

[#51 \(/WorkArea/DownloadAsset.aspx?id=44073\)](#) Authorize to accept a donation of 2.4 acres on the Connecticut River in Colebrook from Clyde Pond Holdings LLC.

[#52 \(/WorkArea/DownloadAsset.aspx?id=44074\)](#) Authorize to purchase a conservation easement on 465.3 acres in Hooksett from Bear-Paw Regional Greenways, for up to \$185,000. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.** (2) Further authorize to enter into a grant agreement with Bear-Paw Regional Greenways to provide up to \$110,000 to partially fund the purchase of the fee acquisition on 465.3 acres in Hooksett. Effective upon G&C approval through December 31, 2013. **100% Other (Conservation License Plate) Funds.** (3) Further authorize to enter into a **sole source** contract with Bear-Paw Regional Greenways for up to \$10,000 to be used for costs associated with land conservation efforts in the Bear Brook – Hooksett Focus Area. Effective upon G&C approval through December 31, 2013. **100% Other (Conservation License Plate) Funds.**

[#53 \(/WorkArea/DownloadAsset.aspx?id=44075\)](#) Authorize to enter into a Transfer Agreement with the Sector Management of the Northeast Fishery Sectors XI and XII for the transfer of Annual Catch Entitlement of groundfish from federal fisheries permits residing in the NH State Permit Bank. Effective upon G&C approval through April 30, 2014.

[#54 \(/WorkArea/DownloadAsset.aspx?id=44076\)](#) Authorize to enter into an agricultural agreement with Charles Stone for the management of 12.5 acres of agricultural land on the Cornish Wildlife Management Area in the Town of Cornish. Effective upon G&C approval through December 31, 2023. No Funding.

[#55 \(/WorkArea/DownloadAsset.aspx?id=44077\)](#) Authorize to enter into a contract with Joe Brigham Inc., d/b/a JBI Helicopter Services of Pembroke, NH, to carry out aerial stocking and water sample collection (acid rain analysis) of remote high altitude trout ponds, in the amount of \$12,850. Effective **retroactive** to June 20, 2013. **100% Fish and Game Funds.**

[#56 \(/WorkArea/DownloadAsset.aspx?id=44078\)](#) [\(/WorkArea/DownloadAsset.aspx?id=44078\)](#) Authorize to enter into a **sole source** agreement with Research Triangle Institute, Research Triangle Park, NC, to reimburse NHFG up to \$50,423 for collection of information on catch by NH marine recreational anglers. (2)Further authorize to accept and expend an estimated \$35,459 for the above performed services. This portion of the \$50,423 are funds in excess of the amount included in the 030,050,060 and 080 class of the FY 14 budget in anticipation of receiving these monies. Effective upon G&C approval through June 30, 2014.

[#57 \(/WorkArea/DownloadAsset.aspx?id=44079\)](#) Authorize to enter into a contract with M.H. Beecy Appraisal Services, Manchester, NH, to conduct an appraisal to Uniform Standards for Federal Land Acquisition to determine the fair market value of a conservation easement on property in Canterbury, NH, up to the amount of \$4,000. Effective upon G&C approval through December 31, 2013. **75% Federal, 25% Other (Wildlife Habitat).**

#### DEPARTMENT OF ENVIRONMENTAL SERVICES

[#58 \(/WorkArea/DownloadAsset.aspx?id=44080\)](#) [\(/WorkArea/DownloadAsset.aspx?id=44080\)](#) Authorize to enter into a **sole source retroactive** Cooperative Project Agreement with the University of NH, to support work to increase resiliency in state government relative to severe weather events and other natural trends that are adversely affecting NH, in the amount of up to \$4,000. Effective August 1, 2013 through September 30, 2013. **100% Other Funds (ARRA Federal Pass Through).**

[#59 \(/WorkArea/DownloadAsset.aspx?id=44081\)](#) Authorize to enter into a contract with FIAI Inc., d/b/a Cross Insurance, Manchester, NH, to purchase property insurance coverage for the Winnepesaukee River Basin Program for a total cost not to exceed \$28,415. Effective September 1, 2013 through September 1, 2014. **100% WRBP Funds.** (2) Further **retroactively** authorize a waiver of the requirement for the purchase of liability insurance for the period of July 1, 2013 through June 30, 2014.

[#60 \(/WorkArea/DownloadAsset.aspx?id=44082\)](#) Authorize to enter into a **sole source** Cooperative Project Agreement with the University of NH, to complete the Acquisition for Aerial Imagery for Habitat Mapping Project, in the amount of \$15,000. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

[#61 \(/WorkArea/DownloadAsset.aspx?id=44083\)](#) Authorize to **retroactively** amend a **sole source** contract with Act One Creative LLC, Concord, NH (originally approved by G&C on 3-6-13, item #21), for graphic design and strategic marketing services by modifying the scope of services to include additional messaging and marketing to support the Soak up the Rain NH program; by increasing the amount by \$12,000 from \$4,800 to \$16,800; and by extending the end date from June 30, 2013 to June 30, 2014. **100% Federal Funds.**

[#62 \(/WorkArea/DownloadAsset.aspx?id=44084\)](#) Authorize to award a Water Supply Land Protection Grant to the Bear-Paw Regional Greenways, Deerfield, NH, to purchase land in a source water protection area to protect water supply land, in the amount of \$156,000. Effective upon G&C approval through December 30, 2014. **100% Interagency Funds / Federal Highway.**

[#63 \(/WorkArea/DownloadAsset.aspx?id=44085\)](#) Authorize a loan agreement with Pennichuck East Utility Inc., Merrimack, NH, in the amount not to exceed \$450,000 to finance water system improvements in Londonderry, NH. Effective upon G&C approval. **100% Drinking Water State Revolving Loan Fund Repayment Funds.**

[#64 \(/WorkArea/DownloadAsset.aspx?id=44086\)](#) Authorize Robert Elliott and William Meserve's request to perform work on the Squamscott River in Newfields, NH.

[#65 \(/WorkArea/DownloadAsset.aspx?id=44087\)](#) Authorize Jack A. Szemplinski's request to perform work on Lake Winnepesaukee in Alton, NH.

[#66 \(/WorkArea/DownloadAsset.aspx?id=44088\)](#) Authorize Richard Reader's request to perform work on Lake Winnepesaukee in Alton, NH.

[#67 \(/WorkArea/DownloadAsset.aspx?id=44089\)](#) Authorize the Connecticut River Valley Resource Commission to enter into a **retroactive sole source** agreement with the Connecticut River Joint Commissions, Lebanon, NH, to provide administration, management, and program assistance, in the amount of \$60,000. Effective July 1, 2013 through June 30, 2015. **100% General Funds.**

#### NEW HAMPSHIRE VETERANS HOME

[#68 \(/WorkArea/DownloadAsset.aspx?id=44090\)](#) Authorize to accept monies totaling \$13,604.12 received during the period of April 1, 2013 through June 30, 2013 as a result of fundraising drives from various organizations and from personal contributions, to be placed in the Benefit Fund.

[#69 \(/WorkArea/DownloadAsset.aspx?id=44091\)](#) Authorize to accept non-monetary donations totaling \$20,239 received during the period of April 1, 2013 through June 30, 2013 as a result of contributions.

#### DEPARTMENT OF EDUCATION

[#70 \(/WorkArea/DownloadAsset.aspx?id=44092\)](#) [\(/WorkArea/DownloadAsset.aspx?id=44092\)](#) Authorize to grant funds in accordance with the Carl D. Perkins Career and Technical Education Act of 2006 to Belknap County Department of Corrections, Laconia, NH, to assist in the operation of their approved career and technical education programs for offenders in the amount of \$8,541.50, and authorize unencumbered payment of said grant with internal accounting. Effective August 15, 2013 through June 30, 2014. **100% Federal Funds.**

#71 NOT USED

#### NEW HAMPSHIRE LOTTERY COMMISSION

[#72 \(/WorkArea/DownloadAsset.aspx?id=44094\)](#) Authorize to enter into a contract with Johnson & Hill Staffing Services Inc., Springfield, MA, for temporary staffing services for the Lottery booth at the Eastern States Exposition, at a maximum cost of \$9,582.30. Effective September 13-29, 2013, with the option to extend for two one-year periods.

#### POLICE STANDARDS AND TRAINING COUNCIL

[#73 \(/WorkArea/DownloadAsset.aspx?id=44095\)](#) Authorize to enter into an agreement with NAMI – New Hampshire of Concord, NH, to provide instruction in law enforcement interaction with individuals with mental illness, to be held at the Arthur D. Kehas Law Enforcement Training Facility and Campus, Concord, at a total cost of \$21,600. Effective upon G&C approval through June 30, 2014. **100% Other Funds (penalty assessment).**

#### COMMUNITY COLLEGE SYSTEM OF NEW HAMPSHIRE

[#74 \(/WorkArea/DownloadAsset.aspx?id=44096\)](#) Authorize to amend the current purchase and sales agreement with Juliet Marine Systems (originally approved by G&C on 4-16-13), for the sale of the former Stratham campus, land and buildings, by extending the due diligence period from August 15, 2013 to December 31, 2013.

#### DEPARTMENT OF SAFETY

[#75 \(/WorkArea/DownloadAsset.aspx?id=44097\)](#) Authorize the Division of Administration to pay annual membership dues of \$5,897 to the Federation of Tax Administrators, Washington, DC. Effective July 1, 2013 through June 30, 2014. **100% Highway Funds.**

[#76 \(/WorkArea/DownloadAsset.aspx?id=44098\)](#) [\(/WorkArea/DownloadAsset.aspx?id=44098\)](#) Authorize the Division of Homeland Security and Emergency Management to pay FY 2014 annual membership dues to the National Emergency Management Association, Lexington, KY, for an amount not to exceed \$3,200. Effective upon G&C approval for the period of July 1, 2013 through June 30, 2014. **100% Agency Income.**

[#77 \(/WorkArea/DownloadAsset.aspx?id=44099\)](#) Authorize the Division of Motor Vehicles to pay FY 2014 annual membership dues to the International Registration Plan Inc, Arlington, VA, a subsidiary of the American Association of Motor Vehicle Administrators, for an amount not to exceed \$11,600. Effective upon G&C approval for the period of October 1, 2013 through September 30, 2014. **100% Highway Funds.**

[#78 \(/WorkArea/DownloadAsset.aspx?id=44100\)](#) Authorize the Division of Motor Vehicles to pay annual membership dues for two years to the American Association of Motor Vehicle Administrators, Arlington, VA, in an amount not to exceed \$12,662. (2)Further authorize to pay **sole source** fees for two years to the American Association of Motor Vehicle

Administrators, Arlington, VA, in an amount not to exceed \$252,000 for Commercial Driver License Information System transactions and for the Programs & Technology and Network Services. Effective upon G&C approval for the period of October 1, 2013 through September 30, 2015. **100% Highway Funds.**

[#79 \(/WorkArea/DownloadAsset.aspx?id=44101\)](#) Authorize the Division of Motor Vehicles to pay **sole source**, for National Motor Vehicle Title Information System annual service and support to the American Association of Motor Vehicle Administrators, Arlington, VA, in an amount not to exceed \$11,624. Effective upon G&C approval for the period of October 1, 2013 through September 30, 2014. **100% Highway Funds.**

[#80 \(/WorkArea/DownloadAsset.aspx?id=44102\)](#) Authorize the Division of Motor Vehicles to accept and expend "NH Motorcycle Rider Training Program Media Campaign" funds in the amount of \$41,990 from the NH Highway Safety Agency to conduct a public information campaign for the creation, production, distribution, and promotion of radio non-commercial announcements that focus on the importance of "sharing the road" and motorcycle training course that will be aired on NH radio stations. Effective upon G&C approval through August 31, 2013. **100% Agency Income.**

[#81 \(/WorkArea/DownloadAsset.aspx?id=44103\)](#) Authorize the Division of Homeland Security and Emergency Management to enter into a **sole source** contract with the NH Association of Broadcasters, Manchester, NH, for non-commercial sustaining announcements on emergency management and preparedness in the amount of \$66,000. Effective upon G&C approval through March 31, 2014. **32% Federal, 57% Private & Local, 11% Fire & EMS Funds.**

[#82 \(/WorkArea/DownloadAsset.aspx?id=44104\)](#) Authorize the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Haverhill, for the purchase of three portable radios for the Woodsville Fire Department, for a total amount of \$6,198. Effective upon G&C approval through May 31, 2014. **100% Federal Funds.**

[#83 \(/WorkArea/DownloadAsset.aspx?id=44105\)](#) Authorize the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Ashland for the purchase of radio equipment for the community's Electric and Water/Sewer Departments as well as the Elementary Schools for a total amount of \$19,708. Effective upon G&C approval through May 31, 2014. **100% Federal Funds.**

[#84 \(/WorkArea/DownloadAsset.aspx?id=44106\)](#) Authorize the Division of Homeland Security and Emergency Management to amend a grant with the City of Claremont (originally approved by G&C on 9-19-12, item #105), for the purchase and installation of a generator at the community's shelter, by increasing the amount of \$5,659 from \$140,108 to \$145,767. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

[#85 \(/WorkArea/DownloadAsset.aspx?id=44107\)](#) Authorize the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Plymouth, for the purchase of a mobile Emergency Operations Center command vehicle, for a total amount of \$21,325. Effective upon G&C approval through May 31, 2014. **100% Federal Funds.**

[#86 \(/WorkArea/DownloadAsset.aspx?id=44108\)](#) Authorize the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Exeter, for the purchase and installation of a base station radio and a multi-channel radio at the Fire Department, for a total amount of \$13,995. Effective upon G&C approval through May 31, 2014. **100% Federal Funds.**

#### DEPARTMENT OF TRANSPORTATION

[#87 \(/WorkArea/DownloadAsset.aspx?id=44109\)](#) Authorize the Bureau of Right of Way to pay various owners \$57,150 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from July 4, 2013 through July 23, 2013. Effective upon G&C approval.

[#88 \(/WorkArea/DownloadAsset.aspx?id=44110\)](#) Authorize the Bureau of Right of Way to sell a 20+/- acre parcel of State owned land located on the northerly side of NH Route 10 in the Town of Piermont to Yaroslav Frimerman and Elena Selioukova for \$7,700 which includes a \$1,100 Administrative Fee. Effective upon G&C approval. This parcel was originally purchased with 100% Highway Funds.

[#89 \(/WorkArea/DownloadAsset.aspx?id=44111\)](#) Authorize the Bureau of Highway Maintenance, Well Section, to enter into a contract with Wragg Brothers of Vermont Inc., Ascutney, VT, for a 6-inch drilled well and pump on the property of Steve Gagnon, Milan, NH, in the amount of \$22,999.50. Effective upon G&C approval through January 3, 2014. **100% Highway Funds.**

[#90 \(/WorkArea/DownloadAsset.aspx?id=44112\)](#) Authorize the Bureau of Highway Design to amend an agreement with Vanasse Hangen Brustlin Inc., Bedford, NH, (originally approved by G&C on 3-7-12, item #84), to perform a system planning study to examine turnpike transportation system upgrades along three miles of the F.E. Everett Turnpike (I-293) through Exits 6 and 7 in the City of Manchester, by extending the completion date from August 31, 2013 to December 31, 2013. No Additional Funding.

[#91 \(/WorkArea/DownloadAsset.aspx?id=44113\)](#) Authorize the Bureau of Materials & Research to enter into an agreement with Terracon Consultants Inc., Manchester, NH, for the purpose of providing on-call Statewide Bridge Deck Condition Surveys, for an amount not to exceed \$250,000. Effective upon G&C approval through December 31, 2015.

[#92 \(/WorkArea/DownloadAsset.aspx?id=44114\)](#) Authorize the Bureau of Mechanical Services to enter into a contract with North American Equipment Upfitters Inc., Hooksett, NH, for providing Aerial Lift Inspection repair, scheduled service and unscheduled emergency parts and repair, on the basis of a low bid of \$123,580. Effective upon G&C approval through June 30, 2015. **94% Highway, 4% Inter-Agency Transfer, 2% Agency Income Funds.**

[#93 \(/WorkArea/DownloadAsset.aspx?id=44115\)](#) Authorize to accept and place on file the Bureau of Construction's quarterly basis summary of active projects that may require contingency use, for the period through June 30, 2013.

[#94 \(/WorkArea/DownloadAsset.aspx?id=44116\)](#) Authorize the Bureau of Traffic to enter into an agreement with Vanasse Hangen Brustlin Inc., Bedford, NH, and Watertown, NY, to develop and implement optimized traffic signal timing plans for approximately 65 signalized intersections in the air quality non-attainment areas of the State, for a total amount not to exceed \$264,839. Effective upon G&C approval through December 31, 2015. **100% Federal Funds.**

[#95 \(/WorkArea/DownloadAsset.aspx?id=44117\)](#) Authorize the Bureau of Construction to enter into a contract with Continental Industries Inc., Londonderry, NH, for pavement rehabilitation on 13.6 miles of NH 9 east of Granite Lake Road in the Towns of Stoddard and Hillsborough, on the basis of a low bid of \$4,158,111. (2)Further authorize a contingency in the amount of \$291,067.77 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through July 18, 2014. **100% Federal Funds.**

[#96 \(/WorkArea/DownloadAsset.aspx?id=44118\)](#) Authorize the Bureau of Construction to enter into a contract with L.A. Drew Inc., Intervale, NH, for safety improvements at the intersection of NH Route 25 and Fox Hollow Road in Moultonborough, on the basis of a low bid of \$498,345. (2)Further authorize a contingency in the amount of \$49,834.50 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through May 30, 2014. **71% Highway, 29% Town Funds.**

[#97 \(/WorkArea/DownloadAsset.aspx?id=44119\)](#) [\(/WorkArea/DownloadAsset.aspx?id=44119\)](#) Authorize the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for pavement rehabilitation along 2.6 miles of NH Route 9 in Keene/Roxbury and 0.3 miles of NH Route 10 in Swanzey, on the basis of a low bid of \$2,842,355. (2) Further authorize a contingency in the amount of \$142,117.75 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 1, 2014. **100% Federal Funds.**

[#98 \(/WorkArea/DownloadAsset.aspx?id=44120\)](#) Authorize for an appropriation to be established in the amount of \$150,000 to be utilized for the repairs to State owned and maintained stream bed drainage culvert systems in the Towns of Westmoreland and Walpole, NH, damaged by severe rain and flooding conditions experienced during the period of June 28, 2013 through July 2, 2013. Effective upon G&C approval. **100% General Funds (less anticipated 75% FEMA reimbursement).**

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