

66 8/15



Virginia M. Barry, Ph.D.
Commissioner of Education
Tel. 603-271-3144

Paul K. Leather
Deputy Commissioner
Tel. 603-271-3801

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
101 Pleasant Street
Concord, N.H. 03301
FAX 603-271-1953
Citizens Services Line 1-800-339-9900

January 3, 2013

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

*25% General Fund
75% Teacher Competence Fund*

REQUESTED ACTION

Authorize the Department of Education to amend a contract with Bernard R. Davis, (Vendor Code # 167856), originally approved on February 8, 2012, item #62, for \$15,000 for an additional amount of \$4,980.00 for a total contract cost not to exceed \$19,980.00 from the date of Governor and Council approval through June 30, 2013.

	FY 2012	
06-56-56-563510-2168000-046-500464		\$ 5,000.00
	FY 2013	
06-56-56-563510-2168000-046-500464		\$10,000.00
06-56-56-563510-4000000-046-500464		\$ 4,980.00

EXPLANATION

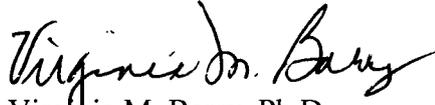
On February 8, 2012 the State of New Hampshire entered in into a contract with Bernard R. Davis to assist in implementing the new school building aid legislation. On September 17, 2012 the Administrator for the Bureau for School Approval and Facility Maintenance retired. This has created an increased need for Mr. Davis' services in maintaining the school building aid program. The Department has been granted a waiver to fill the position, and we anticipate filling the position by the end of January. When chosen, the administrator will need in depth orientation and assistance in implementing this new program.

Her Excellency, Governor Margaret Wood Hassan
And the Honorable Council

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Therefore we request that the contract be amended to include an additional \$4,980.00 for the duration of the current contract.

Respectfully submitted,

A handwritten signature in black ink that reads "Virginia M. Barry". The signature is written in a cursive style with a large, prominent initial "V".

Virginia M. Barry, Ph.D.
Commissioner of Education

AMENDMENT TO CONTRACT FOR SERVICES

HEREBY RESOLVED THAT the Department of Education, hereinafter referred to as "the Agency" and Bernard R. Davis (vendor #167856) hereinafter referred to as "the Contractor", pursuant to an agreement between the parties that was approved by Governor and Council on February 8, 2012, item #652, hereby agree to retroactively amend the same as follows:

I. To increase the price limitation by \$4,980.00 from \$15,000.00 to \$19,980.00.

This amendment of an existing agreement is hereby incorporated by reference to the existing agreement by the parties and must be attached to the said agreement. No other provisions of the existing agreement are otherwise amended.

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

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION

By: Virginia M. Barry, Ph.D.
Commissioner of Education

And: Bernard R. Davis (Contractor)
By: Bernard R. Davis

STATE OF New Hampshire

County of Merrimack

On this the 4th day of January, 2013, before me, Dawn M. Laflam, the undersigned officer, personally appeared, Bernard R. Davis, as The Contractor, who has satisfactorily proven to be the person identified above as in the foregoing contract and as being authorized to do so has executed the foregoing amendment for the purposes therein contained.

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

Dawn M. Laflam
Notary Public/Justice of the Peace (sign and print name)
My commission expires April 23, 2013

Approved as to form, substance and execution by the Attorney General this 30th day of Jan, 2013.

By: [Signature]

Approved by Governor and Council this ___ day of ___, 2013 item number ___.

EXHIBIT A

SERVICES TO BE PROVIDED

The contractor will work with the Bureau of School Approval and Facility Management to assist in the following areas:

A. School Building Aid Assistance:

- The contractor will identify those school districts with pending projects, the scope of those projects, and the estimated cost of those projects.
- The contractor will assist the Bureau of School Approval and Facility Management in developing a system to prioritize applications for School Building Aid.
- The contractor will provide training to school districts on the new application process for School Building Aid

B. Assist school districts that would like to develop school construction projects by:

- Attending school building committee meetings and other forums to provide technical assistance in the development of project alternatives and documentation.
- Providing advice to architects, engineers, and construction contractors on new state criteria and documentation requirements.
- Participating in meetings with regional representatives on updates and improvements to the regional high performance school construction criteria.
- Providing training to teachers in the operation of modern classroom systems, including, but not limited to high efficiency lighting, day-lighting controls, HVAC systems, carbon dioxide monitoring systems, and security systems.

C. Provide advice and assistance on facility-related matters concerning school approval to the Bureau of School Approval and Facility Management.

D. On February 8, 2012 the State of New Hampshire entered in into a contract with Bernard R. Davis to assist in implementing the new school building aid legislation. On September 17, 2012 the Administrator for the Bureau for School Approval and Facility Maintenance retired. This has created an increased need for Mr. Davis' services in maintaining the school building aid program. The Department has been granted a waiver to fill the position, and we anticipate filling the position by the end of January. When chosen, the administrator will need in depth orientation and assistance in implementing this new program


1/4/13

**EXHIBIT B
BUDGET**

Budget (period ending June 30, 2013)

Account number: 06-56-56-563510-21680000-046-500464

Total Fixed Price: \$19,980.00

Expense Category	Rate	Units	Total
Labor	\$30.00	466 hours	\$19,980.00

Limitation on Price:

This contract will not exceed \$19,980.00.

Method of Payment

Payment to be made on the basis of monthly invoices which are supported by a summary of activities that have taken place in accordance with the terms of the contract as stated in Exhibit A.

Invoices will be submitted to:

Marjorie Schoonmaker
Division of Program Support
NH Department of Education
101 Pleasant Street
Concord, NH 03301

Bill
1/4/13

EXHIBIT C
SPECIAL PROVISIONS

Authorize the waiver of Sections 14.1.1 – 14.3.

Contractor will carry appropriate levels of automobile insurance during the term of this contract.

Bill
1/4/13



Virginia M. Barry, Ph.D.
Commissioner of Education
Tel. 603-271-3144

Paul Leather

Deputy Commissioner of Education
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101 Pleasant Street
Concord, N.H. 03301
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Citizens Services Line 1-800-339-9900

FOR INFORMATION ONLY

G & C Letter # _____

G & C Date 3-7-12

APPROVED:

Page # _____

Item # 62

February 8, 2012

His Excellency Governor John H. Lynch
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

1. Authorize the Department of Education to enter into a contract with Bernard R. Davis, (Vendor Code # 167856) of Contoocook, NH in the amount of \$15,000 for the purpose of assisting the Bureau of School Approval and Facility Management from the date of Governor and Council approval through June 30, 2013. Funding is available in the following account with the authority to adjust through the Budget office, if needed and justified, between Fiscal Years. Source of funds: 100% other funds

	FY 2012	
06-56-56-563510-21680000-046-500464	.	\$5,000.00
	FY 2013	
06-56-56-563510-21680000-046-500464		\$10,000.00

EXPLANATION

The contractor will provide assistance to the Department of Education of Education, school districts and SAU's in identifying potential major school construction projects that are expected to lead to applications for School Building Aid once the moratorium on new projects expires. The contractor will assist the Department of Education in development of new rules and procedures that will be necessary to administer the School Building Aid program following its resumption. The contractor will also provide training and technical assistance to school districts on the significant changes to the School Building Aid program.

The Request for Proposal (RFP) was advertised in the Union Leader January 9 through January 11, 2012, and posted on the DOE website from January 9, 2012 to January 11, 2012. The RFP specifically stated that the Department was seeking an individual to fill a need that is in distinct priority areas.

February 8, 2012

His Excellency Governor John H. Lynch
And the Honorable Council
State House
Concord, New Hampshire 03301

The Department received two responses to the RFP. Department staff members who are knowledgeable about the services needed reviewed the RFP. The committee, which included Dr. Judith D. Fillion, Edward R. Murdough and Virginia Clifford, recommended funding Bernard R. Davis. This individual has demonstrated his value to the Department through work on previous contracts.

Respectfully submitted,

A handwritten signature in black ink that reads "Virginia M. Barry". The signature is written in a cursive style with a large, prominent initial "V".

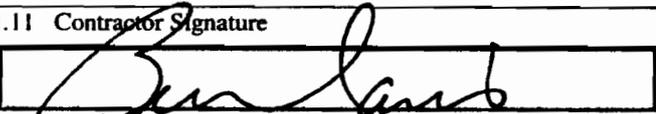
Virginia M. Barry, Ph.D.
Commissioner of Education

Subject: Bernard R. Davis **FORM NUMBER P-37 (version 1/09)**

AGREEMENT
The State of New Hampshire and the Contractor hereby mutually agree as follows:

GENERAL PROVISIONS

1. IDENTIFICATION.

1.1 State Agency Name <u>Department of Education</u>		1.2 State Agency Address <u>101 Pleasant Street, Concord, NH 03301</u>	
1.3 Contractor Name <u>Bernard R. Davis</u>		1.4 Contractor Address <u>187 Pine Street Apt 2, Contoocook, NH 03229</u>	
1.5 Contractor Phone Number <u>603-848-1766</u>	1.6 Account Number <u>See Exhibit B</u>	1.7 Completion Date <u>June 30, 2013</u>	1.8 Price Limitation <u>\$15,000.00</u>
1.9 Contracting Officer for State Agency <u>Dr. Judith D. Fillion</u>		1.10 State Agency Telephone Number <u>(603) 271-3855</u>	
1.11 Contractor Signature 		1.12 Name and Title of Contractor Signatory <u>Bernard R. Davis</u>	
1.13 Acknowledgement: State of <u>NH</u> , County of <u>Merrimack</u> On <u>2/13/12</u> , before the undersigned officer, personally appeared the person identified in block 1.12, or satisfactorily proven to be the person whose name is signed in block 1.11, and acknowledged that s/he executed this document in the capacity indicated in block 1.12.			
1.13.1 Signature of Notary Public or Justice of the Peace [Seal] <u>Dawn M. Laflam</u> DAWN M. LAFLAM, Justice of the Peace My Commission Expires April 23, 2013			
1.13.2 Name and Title of Notary or Justice of the Peace <u>Dawn M. Laflam - Justice of the Peace</u>			
1.14 State Agency Signature 		1.15 Name and Title of State Agency Signatory <u>Dr. Judith D. Fillion, Director</u>	
1.16 Approval by the N.H. Department of Administration, Division of Personnel (if applicable) By: <u>Karen D. Hutchins</u> Director, On: <u>2/14/12</u>			
1.17 Approval by the Attorney General (Form, Substance and Execution) By: <u>Dea M. Geli</u> On: <u>2/13/2012</u>			
1.18 Approval by the Governor and Executive Council By: _____ On: _____			