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ED00512 # 1021528



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STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
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November 5, 2012

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

100% Work Opportunity Grant Funds

REQUESTED ACTION

Authorize the Department of Education, Division of Adult Learning and Rehabilitation to amend contract #1021528 with New England Farm Workers Council, 11-13 Hampden Street, Springfield, MA 01103 (Vendor Code 224811) by modifying the end date from December 31, 2012 to June 30, 2013. Funding is 100% Other Funds as follows:

06-056-056 565010-40950000-102-500731 FY 2013 \$156,925.

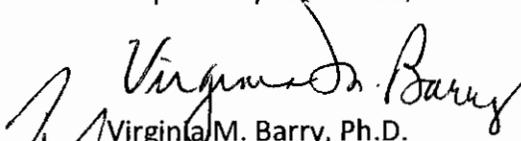
EXPLANATION

The New Hampshire Department of Education received Governor and Council approval on February 8, 2012, Item #70, to enter into a contract with New England Farm Workers Council to provide a minimum of 25 eligible out-of school youth aged 18-24 with employment and training services in the Greater Manchester area.

As of August 24, 2012, New England Farm Workers Council has recruited and enrolled 42 participants. The Council will recruit a total of sixty eligible participants to ensure that an adequate pool of potential candidates with varied skills and experience are available for interested and developed employers.

The no cost extension to June 30, 2013 will ensure that the youth that are placed receive on the job training and will obtain the necessary skills to be successful in continuing with their professional development long after the completion of their program.

Respectfully submitted,


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

AMENDMENT TO SERVICES CONTRACT

Now comes the New Hampshire Department of Education, Division of Career Technology and Adult Learning, hereinafter "the Agency" and New England Farm Workers Council of Springfield, Massachusetts hereinafter "the Contractor", and pursuant to an agreement between the parties that was approved by Governor and Council on February 8, 2012 (item #70) and hereby agree to modify same as follows:

Agreement-General Provisions block 1.7 Completion Date be changed from December 31, 2012 to June 30, 2013.

All other provisions of this contract remain in effect.

This modification shall be effective on date of Governor and Council approval.

This modification of an existing agreement is hereby incorporated by reference to the existing Agreement by the parties and must be attached to the said agreement.

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

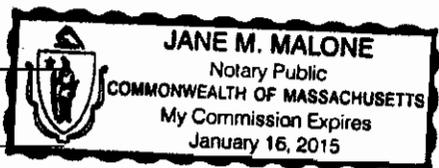
[Signature]
Name and Title of Contractor Signatory

THE STATE OF MASSACHUSETTS
COUNTY OF HAMPDEN

On November 13, 2012, before the undersigned officer personally appeared the person identified in the foregoing certificate, know to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledges that (s)he has executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereto have set my hand and official seal.

Jane M. Malone
Notary Public/Justice of the Peace
Commission Expires _____



Approved as to form, substance, and execution by the Attorney General this 20th day of Nov. Dec, 2012. (ra)

11/20/12 12/4/12
Date (ra)

[Signature]
Attorney General

Certificate of Authority

I, John D Motto, Clerk/Secretary of New England Farm Workers Council do hereby certify that: INC

- (1) I maintain and have custody of and am familiar with the seal and minute books of the corporation;
- (2) I am authorized to issue certificates with respect to the contents of such books and to affix such seal to such certificate;
- (3) The following (is a) (are) true and complete cop(y)(ies) of the resolution(s) adopted by the board of directors of the corporation at a meeting of that board on December 3, 2012, which meeting was held in accordance with the law of the state of incorporation and the by-laws of the corporation:

That: New England Farm Workers' Council, Inc. will enter into a contract amendment with the NH Department of Education to provide employment and training services to out of school youth. This resolution shall remain in effect until specifically revoked.

That: The New England Farm Workers" Council, INC. Board of Directors has named Heriberto Flores as having authority to sign the contract amendment with NHDOE.

- (4) The following is a true and complete copy of a by-law adopted at a (shareholder)(organizational) meeting on _____, 20____.

- (5) The foregoing resolution(s) and by-law are in full force and effect, unamended, as of the date hereof; and

- (6) The following person(s) lawfully occupy the office(s) indicated below:

Heriberto Flores President

Heriberto Flores CEO

Vice President

John D. Motto Secretary

John D. Motto Treasurer

IN WITNESS WHEREOF, I have hereunto set my hand as the Clerk/Secretary of the Corporation this 3rd day of December, 2012.

(Corporate Seal if any)

John D. Motto
Clerk/Secretary

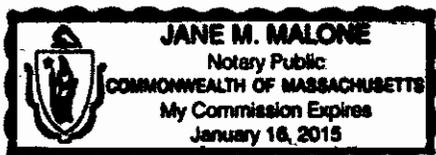
(If the corporation has no seal, the Clerk/Secretary shall acknowledge the certificate before an authorized officer below)

STATE OF ~~NEW HAMPSHIRE~~ MASSACHUSETTS

COUNTY OF HAMPDEN

On December 3, 2012, before the undersigned officer personally appeared the person identified in the foregoing certificate, know to me (or satisfactorily proven) to be the Clerk/Secretary of the corporation identified in the foregoing certificate, and acknowledge that he executed the foregoing certificate.

In witness whereof I hereunto set my hand and official seal.



Jane M. Malone
Notary Public/Justice of the Peace

State of New Hampshire Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that NEW ENGLAND FARM WORKERS' COUNCIL, INC., a(n) Connecticut nonprofit corporation, registered to do business in New Hampshire on October 30, 1979. I further certify that it is in good standing as far as this office is concerned, having filed the return(s) and paid the fees required by law.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 15th day of October, A.D. 2012

A handwritten signature in cursive script, appearing to read "Wm Gardner".

William M. Gardner
Secretary of State

New England Farm Workers' Council (NEFWC)
Board of Director's Meeting
Monday, June 11, 2012
1666 Main Street, 2nd Floor conference Room
Springfield, MA

In Attendance: Heriberto Flores, John Motto, Joseph Green, Dr. Mark Mullan, Dr. Robin Charlotin

Excused: N/A

Also Present: Attorney William Bennett, Executive Deputy Director, Jane Malone, Deputy Director Bruce Young Candelaria

After a brief informational session with Mr. Flores updating the Boards on recent developments and the current status of programs, he called the New England Farm Workers' Council's meeting to order at 1:15 PM.

The resolutions needing action were presented to the Board. A copy of the resolutions are attached to and made a part of these minutes.

A motion was made by Dr. Robin Charlotin to accept the recommendations of the Nominating Committee regarding the appointment of Directors and Officers. The motion was seconded by Joseph Green and passed unanimously.

A motion was made by Dr. Robin Charlotin to approve the annual allocation of PFC costs and to approve the 30% fringe rate. The motion was seconded by Joseph Green and passed unanimously.

Dr. Robin Charlotin made a motion to authorize Heriberto Flores to purchase two lots in the North End from the City of Springfield. The motion was seconded by Joseph Green and passed unanimously.

The motion to authorize Heriberto Flores to act on behalf of the Corporation was made by Dr. Robin Charlotin, seconded by Joseph Green and passed unanimously.

Dr. Robin Charlotin made a motion which was seconded by Joseph Green to have Maletta and Company continue as the Corporation's auditors for the next two years. The motion passed unanimously.

The meeting was adjourned by unanimous consent at 1:30 P.M.

Respectfully submitted, John D. Motto, Clerk

NEW ENGLAND FARM WORKERS' COUNCIL

At the meeting of the Board of Directors of New England Farm Workers' Council (the "Corporation") held June 11, 2012 in Springfield, Massachusetts, the following resolutions were adopted by the Board unanimously, except where indicated otherwise:

RESOLVED: THAT the Board of Directors elect the following individuals, recommended by the Nominating Committee, as Directors for the period June 11, 2012 to June, 2013:

Dr. Mark Mullan
Dr. Robin Charlotin

RESOLVED: THAT the Board of Directors elect the following individuals, recommended by the Nominating Committee, as officers for the period June 11, 2012 to June, 2013:

Heriberto Flores	Chairman/President
Joseph Green	Vice President
John Motto	Treasurer/Secretary

RESOLVED: THAT the Board of Directors approve the allocation of the costs of Partners for Community in providing certain services, as follows: the Corporation - 53.68%; Corporation for Public Management - 37.68%; and Corporation for Justice Management -- 8.63%, all in accordance with the State of Connecticut's allocation guidelines.

RESOLVED: THAT the Board of Directors approve a 30% fringe benefit rate for the Corporation for 2012-2013.

RESOLVED: THAT Heriberto Flores be authorized to purchase the building lot located at 12 Sheldon Street and Rear of Main Street in Springfield from the City of Springfield for \$4,200.

RESOLVED: THAT Heriberto Flores be authorized to purchase the building lot located at East Side of Plainfield Street in Springfield from the City of Springfield for \$2,625.

RESOLVED: THAT Heriberto Flores or his designee is authorized to negotiate, approve and execute on behalf of New England Farm Workers' Council any and all contracts, instruments or other documents pertaining to any of said corporation's assets and business and financial for fiscal year 2012 -- 2013 affairs as deemed necessary or advisable in his discretion.

RESOLVED: THAT Maletta and Company continue as auditor for the Corporation for an additional two years in accordance with the Request for Proposal guidelines.

The foregoing resolutions shall be effective as of June 11, 2012.

BY-LAWS

OF

NEW ENGLAND FARM WORKERS' COUNCIL, INC.

ARTICLE I: ORGANIZATION

1. The name of this organization shall be New England Farm Workers' Council, Inc.
2. The organization shall have a seal which shall be in the following form:
 3. The organization may at its pleasure change its name by a majority vote of the Board of Directors.

ARTICLE II: PURPOSES

1. The following are the purposes for which this organization has been organized:

The Corporation is organized exclusively as a perpetual corporation for charitable, educational and scientific purposes to serve the people in New England particularly and throughout the United States of America and the Commonwealth of Puerto Rico as well as those who come thereto to work.

2. The main purpose of the Corporation is to address the problems encountered by agricultural and other laborers and workers as well as other poverty stricken and/or disadvantaged residents of the service area in the following manner: to initiate and carry through educational programs; to raise levels of income to research, initiate and carry through training in all types of job skills, including those directed towards career and job advancement and opportunity; to pro-

vide or see provided safe, decent and healthy housing; to research, initiate and carry through programs designated to counter the effects of language barriers and geographical and cultural isolation; to create and execute programs affecting the causes of poverty, including but not limited to communications, education, employment training, domestic family disruption, and racial and other forms of discrimination; to combat crime and juvenile delinquency; to form, aid, assist, direct and/or support other organizations, institutions, agencies, societies, corporations, and/or associations organized for the above purposes; and to secure human rights established and guaranteed by law, regardless of race, color, creed, age, sex, religion, or physical or mental handicap, or national origin.

ARTICLE III: MEMBERSHIP

1. There shall be no members of this Corporation.

ARTICLE IV: MEETINGS

1. The annual Board of Directors' meeting of this organization shall be held in the month of June on a date to be established by the Board of Directors. Such date shall be announced at least one month in advance and the Secretary shall mail or cause to be mailed to every Director at his/her address as it appears in the Director's roll book of this organization, a notice setting forth the time and place of such annual meeting and such notice shall be mailed at least one month in advance.

2. Regular meetings of this organization shall be held at least twice during the year on a day to be established by the Board of Directors. The annual meeting shall count as one of the regular meetings.

3. The presence of not less than a majority of the Directors shall constitute a quorum and shall be necessary to conduct the business of this organization; but a lesser number may recess the meeting for a period of not more than two weeks from the date scheduled by these By-laws or special notice and the Secretary shall cause a notice of this scheduled meeting to be sent to all those Directors who were not present at the meeting originally called. A quorum as herein set forth shall be required at any recessed meeting.

4. Special meetings of this organization may be called either by the President or by any other five Directors who deem it to be in the best interest of the organization.

5. Notice of such special meeting shall be mailed to all Directors at their addresses as they appear in the Director's roll book at least four (4) but no more than ten (10) days before the scheduled date set for such special meeting, unless an emergency special meeting is assented to by a majority of all Directors and the notice is reasonable. Such notice shall state the reasons that such meeting has been called, the business to be transacted at such meeting and by whom the meeting was called.

6. No other business but that specified in the notice may be transacted at such special meeting.

ARTICLE V: VOTING

At all meetings, all votes shall be vica voce; provided that at any regular or special meeting, if a majority of the Board of Directors so requires, any question may be voted upon in the manner and style determined by the Board.

ARTICLE VI: ORDER OF BUSINESS

1. Call to order.
2. Reading of the minutes of the preceding meeting.
3. Committees' reports.
4. Executive Director's report.
5. Old and unfinished business.
6. New business.
7. Adjournment.

ARTICLE VII: BOARD OF DIRECTORS

1. The business of the organization shall be managed by a Board of Directors consisting of twelve (12) members.
2. The requirements and eligibility criteria for election to the Board of Directors are as follows:
 - a. All directors must be at least eighteen (18) years of age.
 - b. At least two (2) directors must be permanent residents (domiciliaries) of the State of Connecticut and two (2) must be permanent residents (domiciliaries) of the Commonwealth of Massachusetts.
 - c. In addition to the four (4) directors cited in subparagraph b. above, eight (8) directors shall be elected at large. Selection of nominees for election shall be made giving consideration to having a broad spectrum of occupations and financial means represented on the Board of Directors as well as greater representation from those geographical areas that represent the larger sources of funding for the Corporation.
3. All directors shall serve for a two-year term and may be re-elected as the Board may see fit.
4. The Directors' term shall begin at the annual meeting, and they shall be seated immediately after election. The term shall end after election of a successor.
5. The Directors shall be elected by the Board of Directors

at its annual meeting and shall be the penultimate order of business at the annual meeting.

6. Thirty (30) days prior to the annual meeting, the Chairperson of the Board of Directors shall appoint a Nominating Committee to consider nomination for the state and at-large Directors. This Nominating Committee may solicit recommendations from among the numerous group organizations, agencies or individuals who are concerned with the problems of workers. The Nominating Committee may also seek out qualified candidates on its own initiative. The Nominating Committee should bear in mind the requirement that the Directors from the various states be domiciliaries thereof. The Nominating Committee shall thereafter present to the Board at its Annual Meeting a slate of qualified candidates for consideration as the state and at-large directors. If the Board determines that no qualified candidate exists for a particular vacancy, it may hold open such vacancy until the next regular or annual meeting.

7. Vacancies may be filled at any time by a majority vote of the Board of Directors.

ARTICLE VIII: FUNCTIONS OF THE BOARD OF DIRECTORS

1. The Board of Directors shall have the control and management of the affairs and business of this organization.

2. A majority of the Directors of the Board of Directors shall constitute a quorum and the meetings of the Board of Directors shall be held regularly as set forth in Article IV above.

3. Each Director shall have one vote and such voting may not be done by proxy.

4. The Board of Directors may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

5. The President of the organization by virtue of his office shall be chairperson of the Board of Directors.

6. A Director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any Director. A Director may be represented by counsel upon any removal hearing. The Board of Directors shall adopt such rules for this hearing as it may in its discretion consider necessary for the best interest of the organization.

7. If a Director misses two (2) consecutive regular meetings without designation by the Board as an excused absence, sufficient cause for removal shall be deemed to exist. It shall not be necessary for charges to be brought or a hearing to be held. Said Director shall be automatically removed from his/her Directorship and s/he will have no authority to act in a Directorship capacity to or for the organization. Notice of said removal shall be sent to the removed Director at his/her home or business address appearing in the records of the Corporation. His/her vacancy on the Board of Directors shall not be filled by the Board before its next regular meeting. The removed Director may, by the next regular meeting, apply in writing to the Board for reinstatement. If received, such request must be considered in light of the reasons given for the consecutive absences. The removed Director may be reinstated by a two-thirds (2/3) vote of those Directors present at any regular or special meeting at which the vote is taken.

8. Except as provided in Paragraph 7 above, any Director who leaves Board Directorship shall wait at least six months before applying for or obtaining admission to the Board again; any employee of the Corporation who leaves such employment shall wait at least one year before applying for or obtaining admission to Board Directorship.

9. The Board of Directors shall establish an Executive Committee as set forth in Paragraph 8(c) of the Certificate of Incorporation.

- a. As set forth in the Certificate of Incorporation, the Executive Committee shall be composed of the officers of the Corporation and two (2) other members of the Board of Directors.
- b. The Executive Committee shall function to conduct the affairs of the Corporation during periods of time in between meetings of the full Board of Directors.
- c. The Executive Committee shall have all powers of the Board of Directors as set forth in paragraph 7 of the Certificate of Incorporation and may act and function with such as the Board of Directors itself would do during such interim periods; provided, however, that it may not change the by-laws or Certificate of Incorporation or vote to dissolve.
- d. At any meeting of the full Board of Directors, it may review and ratify or reverse any unexecuted action taken in the immediately previous interim period by the Executive Committee.
- e. A quorum of the Executive Committee shall be a majority of said committee.
- f. Vacancies in the Executive Committee from the two at-large members may be filled by the Chairperson of the Board of Directors. Vacancies among the officers' positions may be filled by temporary appointment to said officership position by the Chairperson of the Board of Directors until the full Board of Directors acts to fill said position until the next election of Board officers.
- g. The Executive Committee shall meet at least four (4) times per year. Meetings may be held in the same manner as set forth for the Board of Directors.

1. The officers of the organization shall be as follows: President, First Vice-President, Second Vice-President, Secretary and Treasurer, all of whom shall be elected from among the Directors at the annual meeting following the election and seating of the directors. Officers shall serve for a period of one year or until new officers are elected.

2. The President shall preside at all meetings of the Board of Directors.

3. S/he shall by virtue of his/her office be Chairperson of the Board of Directors.

4. S/he shall present at each annual meeting of the organization an annual report of the work of the organization.

5. With the advice and consent of the Board, s/he shall appoint all committees, temporary or permanent.

6. S/he shall see all books, reports and certificates as required by law are properly kept or filed.

7. S/he shall be one of the officers who may sign the checks or drafts of the organization.

8. S/he shall have such powers as may be reasonably construed as belonging to the chief executive of any organization.

9. The First Vice-President shall, in the event of the absence or inability of the President to exercise his/her office, become Acting President of the organization with all the rights, privileges and powers as if s/he had been duly elected President. The Second Vice-President shall assume these functions if the First Vice-President is unable to do so. Also, both Vice-Presidents shall assume such other functions as assigned by the President.

10. The Secretary shall keep the minutes and records of the

organization in appropriate books.

11. It shall be his/her duty to file any certificate required by any statute, federal or state.

12. S/he shall give and serve all notices to members of this organization.

13. S/he shall be the official custodian of the records and seal of this organization.

14. S/he may be one of the officers required to sign the checks and drafts of the organization.

15. S/he shall present to the Directors at any meetings any communications addressed to him/her as Secretary of the organization.

16. S/he shall submit to the Board of Directors any communications which shall be addressed to him/her as Secretary of the organization.

17. S/he shall attend to all correspondence of the organization and shall exercise all duties incident to the office of Secretary.

18. The Treasurer shall have the care and custody of all monies belonging to the organization and shall be solely responsible for such monies or securities of the organization. S/he shall cause to be deposited in a regular business bank or trust company a sum not exceeding that ordered by the Board of Directors and the balance of the funds of the organization shall be deposited in a savings bank except that the Board of Directors may cause such funds to be invested in such investments as shall be legal for a savings bank in any of the six New England states.

19. S/he shall be one of the officers who may sign checks or drafts of the organization. No special fund may be set aside that

shall make it unnecessary for these officers to sign the checks issued upon it, except as provided herein.

20. S/he shall render at stated periods as the Board of Directors shall determine, a written account of the finances of the organization and such report shall be physically affixed to the minutes of the Board of Directors of such meeting.

21. S/he shall exercise all duties incident to the office of Treasurer.

22. Officers shall by virtue of their office, be Directors of the Board which shall elect said officers annually at the annual meeting. The Nominating Committee shall present to the Board at such annual meeting a slate of qualified candidates for consideration as officers. Said officers shall be chosen so as to insure their membership on the executive committee.

23. If the President or any of the other officers resign, the Board will appoint a Nominating Committee to nominate a replacement at the first meeting following such resignation. At said meeting, the Board will elect a replacement. Directors must be notified at least a week in advance of such an election. In the event another officer is elected to replace the vacant office, the Board will elect his/her replacement at the same meeting.

24. No officer shall for reason of his/her office be entitled to receive any salary or compensation, except in accordance with funding source regulations for expenses incurred incident to his/her function as a Director.

25. The Board of Directors may establish one or more operating fund accounts which shall not exceed twelve months' anticipated

operating expenses. Checks on said accounts may be signed as provided above or at the discretion of the Board of Directors. Such authority may be granted to one or more officers and/or an Executive Director of the Corporation to be hired and/or such further employees as may also be hired. The responsible parties for signing checks on these accounts shall submit quarterly financial reports to the Treasurer of the Corporation who shall provide the rest of the Board with said reports.

ARTICLE X: SALARIES AND EMPLOYMENT

1. The Board of Directors shall hire and fire and fix the compensation of the Executive Director. The Executive Director will have the responsibility to hire and fire and determine the salaries of the rest of the staff.

ARTICLE XI: COMMITTEES

1. All committees of this organization shall be appointed by the President, and their term of office shall be for a period of one year, or less if terminated sooner by the action of a majority vote of the Board of Directors present at any meeting. Membership on said committees shall in any event terminate upon election of new officers at the annual meeting.

2. The permanent committees shall be the following:

- a. Finance Committee.
- b. Personnel and Labor Relations Committee.

ARTICLE XII: INDEMNIFICATION

Indemnification of officers, directors and employees: Each director, officer or employee of the Corporation now or hereafter serving as such shall be indemnified by the Corporation against any and all claims and liabilities to which the have become subject by reason of serving or having served as such director, officer or employee or by reason of any action alleged to have been taken, omitted, or neglected to have been taken by him/her as such director, officer, or employee. The Corporation shall reimburse each such person for all legal expenses and costs reasonably incurred by him/her in connection with any such claim or liability; provided, however, that no such person shall be indemnified against or be reimbursed for any expense incurred in connection with any settlement of any claim or any final judgment found or admitted to have arisen out of his/her own willful misconduct or gross negligence. The amount paid to any officer, director or employee by way of indemnification shall not exceed his/her actual reasonable cost and necessary expenses incurred in connection with the matter involved.

Any amount of reimbursement for legal expenses or costs must be approved in advance of being committed by the Board of Directors of the Corporation. The Corporation reserves the right of selection of legal counsel at any point in the proceedings for any person seeking indemnification under this provision.

No new claim of liability whether derived from alleged negligence, willful or wanton misconduct, gross negligence, ultra vires acts, negligence or any other theory of said liability shall be resolved by settlement whether or not suit has been commenced unless by prior

approval of the Board of Directors' Executive Committee, if said settlement is less than one thousand dollars (\$1,000.00) in value, or by the Board of Directors of the Corporation if said settlement is one thousand dollars (\$1,000.00) or more in value; provided, however that any such claim may be settled by counsel for the parties if said settlement merely involves withdrawal of said claim or action for initial costs, not including attorneys' fees. Any resolution of a claim involving a proposed settlement for solely other than money or value, such as employment or approval of some kind, etc., must be approved by the Corporation's Board of Directors.

The right of indemnification hereinabove provided for shall not be exclusive of nor in limitation of any right that any director, officer, or employee of the Corporation may otherwise be entitled to by law.

ARTICLE XIII: UNANIMOUS CONSENT

Any action that could be taken by the Board of Directors at a regular or special meeting may be taken without such meeting being held and without notice, providing that unanimous written consent of all the Directors is obtained, pursuant to Section 33-450(d) of the Connecticut General Statutes (1954, as amended).

ARTICLE XIV: RATIFICATION

The attendance by a Director at any regular or special meeting shall serve as ratification that he was duly informed and received notice of such meeting and that said notice was timely and in accordance with the provisions of the By-laws, and said Director may not challenge the meeting for lack of having received proper notice.

ARTICLE XV: TELEPHONE COMMUNICATION EQUIPMENT AT MEETINGS

Pursuant to Section 33-450(e) of the Connecticut General Statutes (1954, as amended), a director or member of a committee of the Board of Directors may participate in a meeting of the Board of Directors or of such committee by means of conference telephone or similar communication equipment enabling all directors participating in the meeting to hear one another. Participating in this fashion shall constitute presence in person at such meeting.

ARTICLE XVI: AMENDMENTS

1. Excepted as provided herein, these By-laws may be altered, amended, repealed or added to by an affirmative vote of not less than a three-fourths (3/4) vote of the Directors present at any regular or special meeting of the Board.

Changes in Certificate of Incorporation
and By-Laws approved by Board of Directors
unanimously on November 6, 1986

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



10024 12/20
Old RQ 126642
PO# 1021528
Paul Leather
Deputy Commissioner of Education
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

2.8.12
#170
approved

December 22, 2011

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

REQUESTED ACTION

1. Authorize the Department of Education, Division of Career Technology and Adult Learning to enter into a contract with New England Farm Workers' Council, 11-13 Hampden Street, Springfield, MA 01103 (Vendor Code 224811) to provide youth services, employment, and training, as defined in Public Law 105-220 in the greater Manchester Area in the State of New Hampshire from date of Governor and Council approval through December 31, 2012 in an amount not to exceed \$315,759.00. Funding is 100% Other. Funding is available as follows with the authority to adjust encumbrances in each of the State fiscal years through the Budget Office if needed and justified:

<u>Account No.</u>	<u>Amount</u>	<u>Fiscal Year</u>
565010-4095-102-0731	\$158,834	2012
565010-4095-102-0731	\$156,925	2013

Line 1 - 157,880.00
Line 2 - 954.00

2. Authorize the Department of Education to make advanced monthly payments for services provided under the terms of the contract.

EXPLANATION

The New Hampshire Department of Education has been awarded \$2,149,952.00 for FY12 and anticipates similar funding for FY13 by the NH Department of Resources and Economic Development, Office of Workforce Opportunity. NH Department of Resources and Economic Development is the administrative entity designated by the Governor of the State of New Hampshire to receive and administer the Workforce Investment Act (WIA) funds allocated to the State of New Hampshire from the U. S. Department of Labor. These funds will be used for the implementation and oversight of the WIA Title I Youth program.

The purposes for the WIA Title I Youth funds are: (1) to provide to eligible youth seeking assistance in achieving academic and employment success, effective and comprehensive activities, which shall include a variety of options for improving educational and skill competencies and provide effective connections to employers; (2) to provide occupational skill training aligned with career majors/paths, as appropriate, supportive services and transition links; (3) to provide opportunities for training to eligible youth; (4) to provide continued supportive services for eligible youth; (5) to provide incentives for recognition and achievement to eligible youth;

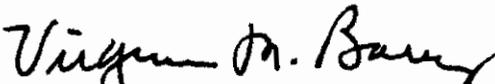
The youth services, employment, and training contract will fulfill all the above-mentioned purposes.

A Request for Proposal (RFP) was released the week of December 12, 2010. The RFP was sent to all high schools, community based organizations and faith based organizations that were on the WIA Youth mailing list for potential and former vendors. The RFP was based on the Workforce Investment Act essential elements and compliance with the requirements. A copy of the RFP was included on the NH Department of Education and NH Works web pages as well as the Manchester Union Leader and Sunday News on December 12 through December 14, 2010. Sixteen (16) proposals were reviewed utilizing an evaluation tool that was developed based on the Request for Proposal requirements and scoring system established by the Youth Council and included in the RFP (see Attachment A).

An advance payment on a monthly basis is being requested to cover costs that will be incurred with the contract. Additionally, it is requested to reduce the 25% withholding provision to 10%, as it will be necessary for the contractor to cover staff costs so that they can provide timely and appropriate services as outlined in the contract.

In the event that Other funds become unavailable, General funds will not be requested to support this program.

Respectfully submitted,


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

Subject: New England Farm Workers' Council

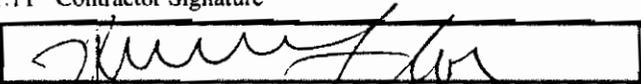
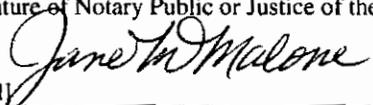
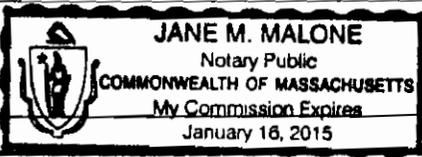
FORM NUMBER P-37 (version 1/09)

AGREEMENT

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

GENERAL PROVISIONS

1. IDENTIFICATION.

1.1 State Agency Name <u>NHDOE-Division of Career Technology & Adult Learning</u>		1.2 State Agency Address <u>21 South Fruit St., Suite 20, Concord, NH 03301</u>	
1.3 Contractor Name <u>New England Farm Workers' Council</u>		1.4 Contractor Address <u>11-13 Hampden Street, Springfield, MA 01103</u>	
1.5 Contractor Phone Number <u>413.272.2200</u>	1.6 Account Number <u>565010-4095-102-0731</u>	1.7 Completion Date <u>12/31/2012</u>	1.8 Price Limitation <u>\$315,759.00</u>
1.9 Contracting Officer for State Agency <u>Paul K. Leather, Deputy Commissioner</u>		1.10 State Agency Telephone Number <u>603.271.3471</u>	
1.11 Contractor Signature 		1.12 Name and Title of Contractor Signatory <u>Heriberto Flores, Chairman/Pres./Ex. Director</u>	
1.13 Acknowledgement: State of <u>MA</u> , County of <u>HAMPDEN</u> On <u>12/13/11</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]			
1.13.2 Name and Title of Notary or Justice of the Peace <u></u>			
1.14 State Agency Signature		1.15 Name and Title of State Agency Signatory <u>Paul K. Leather, Deputy Commissioner</u>	
1.16 Approval by the N.H. Department of Administration, Division of Personnel (if applicable) By: _____ Director, On: _____			
1.17 Approval by the Attorney General (Form, Substance and Execution) By: _____ On: _____			
1.18 Approval by the Governor and Executive Council By: _____ On: _____			

Attachment A

Proposal Criteria in RFP:

Program Design	5 points
Program Components	10
Collaboration	10
Organizational Experience	20
Past Outcomes	40
Budget	15
Leveraged Resources and Sustainability	15
Out-of-School Youth Bonus Points – Serving the Neediest Youth	25

The Youth Council, the oversight board for WIA Youth funds, awarded, as reflected in the Request for Proposal a 1) regional distribution of funding (North Country: 22.3% - Belknap, Carroll, Coos, and Grafton counties; Seacoast: 27.1% - Rockingham and Stafford counties; Hillsborough: 28.7%; and West Central: 21.9% - Cheshire, Merrimack and Sullivan counties) and to ensure attainment of the federal standard that 30% will be expended on out-of-school youth programming, NH targets out-of-school youth funding at 45%.

Reviewers were

North Country and West Central Regions In-School Youth:

- Michelle Desmond is a Youth Council board member. She is employed at the Manchester Housing and Redevelopment Authority in Manchester.
- Michael Power is the Community Workforce Development Administrator for the Office of Workforce Opportunity at NH DRED
- Bonnie St. Jean, former Administrator for WIA Youth at NH Department of Education at currently Administrator for Adult and Youth Programs at the Office of Workforce Opportunity, NH Department of Resources and Economic Development.

Hillsborough County Out-of-School Youth:

- Dwight Davis, Chairman of the State Workforce Youth Council, the volunteer group that oversees WIA Youth Funds
- Susan Randall, Program Specialist at the Department of Education that oversees Alternative Education funds
- Bonnie St. Jean, former Administrator for WIA Youth at NH Department of Education at currently Administrator for Adult and Youth Programs at the Office of Workforce Opportunity, NH Department of Resources and Economic Development.

Funding Recommendation:

Region	Applicant	ISY or OSY	PY11/12 Students Proposed	PY11 Amount Requested	PY12 Amount Requested	Total Award	Average Score	Reviewers
North Country	NH-JAG: Berlin & Woodsville High Schools	ISY	120	180,579	180,579	361,158	89	M. Desmond, M. Power, B. St.Jean
Seacoast	Pride	OSY	80	217,535	241,180	458,715.04	120	K. Jablonski, M. Boldin, St.Jean
	America's Youth Teenage: Dover	OSY	50	85,189	84,971	458,715	117.25	K. Jablonski, M. Boldin, St.Jean
	Goodwill	OSY	50	111,398	105,707	217,105	115	K. Jablonski, M. Boldin, St.Jean
	SERESC	ISY	60	110,097	116,732	Insufficient funds	66.5	M. Boldin, K. Jablonski, B. St.Jean
	Cocheco Arts and Technology	ISY	18	54,000	54,000	Insufficient funds	31	M. Boldin, K. Jablonski, B. St.Jean
West Central	Franklin School District	ISY	110	208,637	237,581	446,218.00	101	M. Desmond, M. Power, B. St.Jean
	NH-JAG: Merrimack Valley	ISY	60	83,739	83,739	167,478	100	M. Desmond, M. Power, B. St.Jean
	Sugar River Cares Program	ISY	40	109,567	112,885	Insufficient funds	59	M. Desmond, M. Power, B. St.Jean
Hillsborough	America's Youth Teenage - Nashua	OSY	50	95,625	95,625	191,249	128.7	S. Randall, D. Davis, B. St. Jean
	NH-JAG: Manchester Com. Col	OSY	50	151,500	154,702	306,202	110	S. Randall, D. Davis, B. St. Jean
	Southern NH Services YEP	OSY	56	176,394	180,489	356,882	103.7	S. Randall, D. Davis, B. St. Jean
	New England Farm Workers OSY	OSY	92	177,546	178,731	Insufficient funds	97	S. Randall, D. Davis, B. St. Jean
	America's Youth Teenage: : Manc Central, Nashua North & South	ISY	140	240,040	242,699	482,739	108	L. West, M. Currier, B. St.Jean
	NH-JAG: Memorial & West	ISY	120	164,089	164,089	328,178	104	L. West, M. Currier, B. St.Jean
	New England Farm Workers ISY	ISY	60	120,000	120,000	Insufficient funds	100	L. West, M. Currier, B. St.Jean