

Prior Year Contract/Extension E \_\_\_\_\_

The State Education Department Transportation Unit, Room 876 EBA Albany, New York 12234

(SED CODE) Check type of Summer Program: (Separate contract required for each)
Special Education
District-operated non-special education
BOCES-operated non-special education

SUMMER TRANSPORTATION EXTENSION OF TRANSPORTATION CONTRACT

Form with fields for Tel, Fax, Contact Person, School District/BOCES, Street or P.O. Box, City, State, Zip Code

Check if applicable:
( ) Cost Justification Form filed with Dept. Only for a CPI Pass-Thru. (See Reverse)
( ) District will supply contractor with fuel.
Specifications include:
( ) Provision for attendants, escorts or monitors.
( ) Clause for increasing or decreasing service.

WHEREAS a transportation contract agreement was made on \_\_\_\_\_ by and between \_\_\_\_\_, County of \_\_\_\_\_, N.Y., party of the first part and \_\_\_\_\_, party of the second part.

NOW, THEREFORE, pursuant to the provisions of Section 305, subdivision 14 of the Education Law and Section 156.5 of the Regulations of the Commissioner of Education, the parties hereto mutually agree to extend the contract for a period commencing \_\_\_\_\_ and ending \_\_\_\_\_.

All of the items of said contract shall remain in full force and effect.

IT IS FURTHER agreed that for services rendered during the period of this extension, the party of the first part shall pay the party of the second part the total annual sum of \$ \_\_\_\_\_ or \$ \_\_\_\_\_ if on a per-bus, per-pupil, per-mile, or other unit cost basis determined as follows (you must show in detail using prior year figures):

Total Anticipated Annual Cost \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have executed this extension of agreement this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Party of the First Part (Signature of Trustee or President of Board of Education)

Party of the Second Part (Signature of Contractor)

COMPLIANCE CERTIFICATION. I certify that this contract extension has been approved by the Superintendent of Schools in accordance with the provisions of Education Law, section 3625.

Approval Date: \_\_\_\_\_ Filed by: \_\_\_\_\_

CPI "Pass-Thru". Boards of education may pay a contractor, in excess of the CPI, for the cost of qualifying criminal history and certain driver testing fees. (See subdivision (e) on reverse).

SUBMIT ORIGINAL TO THE STATE EDUCATION DEPARTMENT, RETAIN A COPY FOR YOUR SCHOOL DISTRICT RECORDS.

## Regulations of the Commissioner of Education

### Section 156.5 Annual extensions of transportation contracts.

- (a) Annual extensions of contracts shall be prepared on forms prescribed by the commissioner; such extensions shall be filed with and approved by the commissioner and are subject to all laws, rules and regulations pertaining to the filing of transportation contracts.
- (b) Only contracts awarded in accordance with the competitive bidding requirements of subdivision 14 of section 305 of the Education Law may be extended. (NOTE: Section 305(14) also authorizes extensions of contracts awarded through a request for proposals.)
- (c) Annual extensions of fixed-price contracts, contracts based upon unit rates, such as per-bus, per-pupil or per-mile, and contracts based upon a combination of a fixed price and unit rate may provide for increases in such fixed prices and/or unit rates not to exceed the contractual amount paid in the preceding year by more than the increase in the regional consumer price index for the 12-month period ending on May 31<sup>st</sup> immediately preceding the commencement of the contract extension.
- (d) Each district proposing to extend a contract shall maintain for a period of six years after expiration or termination of the contract extension or six years after final payment under the contract extension satisfactory evidence of the increase in the cost of the contractor's operation during the 12-month period immediately preceding the month in which the contract terminates. Upon the request of the commissioner, each district shall file such evidence with the commissioner. (NOTE: Contractor must complete a Cost Justification Form whenever there is any increase in the amount paid by the district when extending a contract.)
- (e) Each district proposing to extend a contract in an amount which is in excess of the maximum increase allowed by use of the consumer price index for the N.Y., N.Y., Northeastern, N, J. area, based upon the index for all urban consumers (CPI-U), shall file with the commissioner satisfactory documentation of the actual cost of qualifying criminal history and driver licensing testing fees attributable to special requirements for drivers of school buses pursuant to Article 19 and 19-A of the Vehicle and Traffic Law. (NOTE: In addition, a board of education may agree to an amount in excess of the consumer price index for the actual cost of diagnostic tests, physical performance tests, and drug and alcohol tests. A Cost Justification must be filed with the Department whenever a board of education agrees to pay a contractor in excess of CPI. Where there are no such excess costs, the form is not filed, but is retained in the district.)

**Addendums:** Please notify the Department by letter when additions are made to a contract extension after it has been filed with the Department. Such additions must be authorized by the contract specifications.

**ONLY COMPETITVELY CONTRACTS MAY BE EXTENDED.**