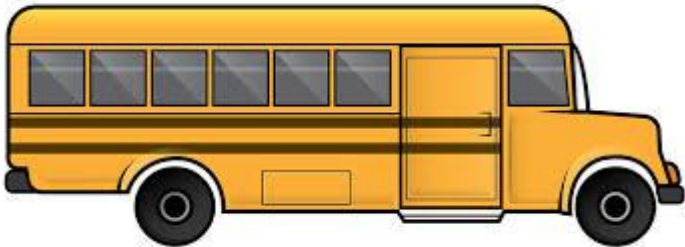


Summer Contract Extensions

How to complete

FORM CES

(Contract Extension Summer)
to submit an eligible contract*



*Only competitively or RFP bid summer contracts may be extended in subsequent summers

Contract Categories

Contracts are broken down into several Categories:

CES Contract – **Summer Service Extension** contracts, July – August Only.

-- as with original contracts, *Special Education* remains separate from *Non-Special Education*.

TC Contract – new school year (September – June) for Home to School & Spec Ed.
This set of instructions deals with TC contracts.

-- separate contract(s) used for new school year (Sept - June) for Athletic & Field Trips.

TCS Contract – Summer transportation, July – August Only.

-- *Special Education* is contracted separately from *Non-Special Education*.

CE Contract – School Year Extension contracts for Home to School & Spec Ed.

-- as with original contracts, separate school year contracts used for Athletic & Field Trips.

Form CES

INSTRUCTIONS

Form has been broken into several sections with specific instructions on how to complete each section.

Form CES
Prior Year Contract/Extension E _____

The State Education Department
Transportation Unit, Room 475 EBA
Albany, New York 12234

**SUMMER TRANSPORTATION
EXTENSION OF TRANSPORTATION
CONTRACT**

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

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.

1. Please fill in SED # (first six digits of BEDS CODE).
2. Enter the prior year contract/extension number issued by SED. All Extensions start with E_____ followed by the six digit contract #.
3. **Check type of summer program** (Special Ed filed separately from Non-Special Ed.)
4. Fill in School District Contact information. Please include email. BOCES: if you are filling out paperwork please use school name and address, not BOCES.
5. Make sure to check applicable boxes based on original contract specs (Cost Justification**, Special Education, Maintenance only, Provisions & Clauses, etc.)

**Check the applicable Cost Justification Form box if the contractor has justified the percentage increase in price and whether the board of education has agreed to a CPI "pass-thru". District must analyze all Cost Justification Forms to determine whether the percentage increase in the contractor's cost is at least equal to the percentage increase in the price of the extension. The Cost Justification Form 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 Justification Form is not filed, but retained in the district for six years.

THE STATE EDUCATION DEPARTMENT
 Educational Management Services
 Room 475 Education Building Annex
 Albany, New York 12234
 (518) 474-6541

CONTRACT EXTENSION – COST JUSTIFICATION FORM

School District	
Contractor	

For 2016-17 Extension	Actual Cost 6/1/14-5/31/15	Actual Cost 6/1/15-5/31/16
Wages		
Drivers		
Mechanics		
Payroll Taxes		
Supplies and Materials		
Automotive Parts		
School Bus Fuel		
Oil, Lubricants, Antifreeze		
Tires and Chains		
Insurance		
Garage		
Rental		
Heating Fuel		
Electric		
Water		
Telephone		
Depreciation		
Other (Specify)		
SUB-TOTAL		

Pass Throughs		
Criminal History/ Licensing Tests **		
Diagnostic Tests		
Physical Performance Tests		
Drug/Alcohol Tests		
SUB-TOTAL		
GRAND TOTAL		

** Do not include cost of driver's permit, license, or training.

_____ % Increase
 Signed (Contractor)

NOTARIZED:
 Please submit this form to SED only when "Pass Through" costs are included.

EMT-4 (3/16)

****The Cost Justification Form 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 Justification Form is not filed, but retained in the district for six years.**

Original Contract Agreement

WHEREAS a transportation contract agreement was made on _____ by and between
(Date)
_____, County of _____, N.Y.,
(Name of School District or BOCES)
party of the first part and _____, party of the second part.
(Contractor)

6. Agreement date is the original date the BOE agreed to enter into this contract with the contractor.
7. Fill in School District or BOCES, County and Contractor. ***If contractor name has changed or been bought out, please send assignment of contract form, as seen on next page.

Service Dates

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 _____.

Mo Day Year Mo Day Year

8. Fill in Service dates. **Note:** Summer service dates can only be **July 1st thru Aug 31st**. School Year (Form CE) dates are between Sept. 1st and June 30th. ONLY contracts that are for Maintenance or Operations & Maintenance can be July 1st thru June 30th.

The State Education Department
Transportation Unit, Room 475EBA
Albany, New York 12234

ASSIGNMENT OF CONTRACT

It is hereby mutually agreed that the transportation contract entered into between the Board of Education of School District _____ in _____ County and _____ under date of _____ for a period of _____ years beginning on _____ is hereby assigned to _____.

In agreeing to such assignment the Board of Education agrees to pay to the assignee the amounts of money specified in the original contract. It is also agreed by the assignee that the conditions of the original contract will be carried out in exactly the manner specified therein and in accordance with the intentions of the Board of Education at the time the contract was entered into for the amounts of money specified.

Trustee or President of the Board of Education*

Effective Date of Assignment

Contractor (Assignor)

New Contractor (Assignee)

I have reviewed the original contract as well as the above assignment of same.

Approved:

District Superintendent of Schools

*Signatures required for school districts:

For Board of Education, President

For Three Trustee Districts, Chairman

For Sole Trustee Districts, Trustee Only

3/15

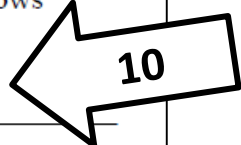
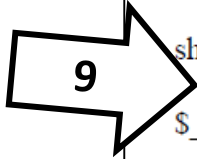
***Submit with contract extension if assignment of contract has legally changed.

Lump Sum/Unit Cost & ANTICIPATED Total Cost

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 lump sum contract)
\$ _____ if on a per-bus, per-pupil, per-mile, or other unit cost basis determined as follows
(unit cost) (you must show in detail using prior year figures):

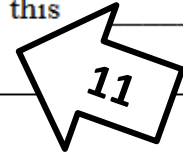
Total Anticipated Annual Cost _____



9. Enter Lump Sum or Unit Cost (On your bid specs, what was the unit you were asking for? Per pupil per month / Per bus per day / Per bus per hour, with matron and/ so on). In the space below the "unit cost" line, enter the prior year contract or extension price(s) and the percentage increase for the current year. If necessary, attach a separate sheet.
10. Enter Total Anticipated Cost.

Extension AGREEMENT DATE

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



11. This Agreement date is the date of the Board Meeting upon which an agreement was made to enter into an EXTENSION contract with this Contractor.

Signatures

The diagram shows a contract signature section. At the top, there are two horizontal lines for signatures. The left line is labeled "Party of the First Part (Signature of Trustee or President of Board of Education)" and the right line is labeled "Party of the Second Part (Signature of Contractor)". A double-headed arrow labeled "12" spans the space between these two lines, with a downward-pointing arrow from its center. Below this is a shaded box containing the text: "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." Below the shaded box are two more horizontal lines. The left one is labeled "Approval Date: (Date of Superintendent's Approval)" and the right one is labeled "Filed by: (Signature of Superintendent or Designee)". An upward-pointing arrow labeled "13" points to the "Approval Date" line.

12. Signatures: Must be in ORIGINAL ink from BOE, CONTRACTOR & SUPERINTENDENT.

13. DATE of APPROVAL by SUPERINTENDENT. **NOTE:** THIS DATE MUST BE ON OR AFTER THE BOE AGREEMENT DATE (used in Step 11.)

ALSO: Extension must be approved by the Superintendents of Schools and filed within **90 calendar days** of the first day of service; otherwise, an aid deduction will be taken for each school day that a contract is late.

(Please only send one original contract to SED. We do not require duplicates/copies.)

Things to Remember

- Separate contracts must be awarded for each of the three different types of summer programs indicated in **Step 3**: 1. Programs for students with disabilities under Section 4408 of the Education Law; 2. District-operated programs for students without disabilities; and 3. BOCES-operated programs for students without disabilities.
- If your district has already completed an extension which includes more than one of the three summer types indicated in Item 3 of the CES instructions, you must send us a copy of that extension, on which you must note the total anticipated cost for each program separately. (The cost of summer transportation for students with disabilities is aided through the STAC system. Such contract costs should be accounted for in the Special Aid Fund. The cost for a district-operated program for students without disabilities is aidable. The cost of transportation to a BOCES-operated summer program for students without disabilities is not aidable.)
- A board of education may agree to extend a contract as many times as it wishes; there is no statutory limit. However, there are two types of extensions:
 1. A one-year extension that does not require prior voter approval
 2. A multi-year extension of 2, 3, 4, or 5 school years that requires prior voter approval (5 years is the max for a multi-year extension).
- The full term of a multi-year extension must be included in a single Extension Form. For example, where an extension covers a 5-year term, the ending date will be Aug 31st of the fifth summer session. However, the total anticipated ANNUAL cost is only listed for the first year. (The subsequent year amounts are listed on a separate spreadsheet to be attached to the multi year contract.)
- Only competitively bid or RFP summer contracts may be extended in subsequent summers.
- A regular school year contract extension may not include transportation provided during July and August. Separate contract extensions are required for summer transportation.

Contract Submission to SED

- When submitting contracts to SED, please include a **cover sheet** listing each contract being submitted. This helps us verify that we have received the full contract submission.
- The cover sheet can also include any **explanations** that may be required for submission (missed deadlines, linked to prior emergency contract, etc.)
- Please also verify that all **dates are completed** and are in logical & necessary sequence.
- Verify that all **3** required **signatures are in original ink.**
- Send only **one original** to SED (keep other 2 original documents in district files). We do not need multiples of contracts or copies. This helps us all cut down on paper waste.
- Have someone **review** contract submission prior to sending to SED.
- Mail **within 90 days** of 1st day of service & mail with return receipt for proof.
- **Thank you** for your attention to detail in submitting your district's contracts. Your time and efforts are much appreciated.

Form CES Key

Form CES
Prior Year
Contract/Extension
E _____

The State Education Department
Transportation Unit, Room 475 EBA
Albany, New York 12234

**SUMMER TRANSPORTATION
EXTENSION OF TRANSPORTATION
CONTRACT**

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

TEL: () _____
Fax: () _____

Contract 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 4 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 _____ 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 _____ Party of the Second Part _____
(Signature of Trustee or President of Board of Education) (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: _____
(Date of Superintendent's Approval) (Signature of Superintendent or Designee)

CPI "Pass-Thru". Boards of education may pay contractor, in excess of the CPI, for the cost of qualifying criminal history and certain driver testing fees. (See subdivision 4 of section 305 of the Education Law, section 156.5 of the Regulations of the Commissioner of Education, and section 3625 of the Education Law.)

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

3/15

Office of Pupil Transportation

Please feel free to contact our office for further information:

Educational Management (518) 474-6541

Denise O'Brien

- (518) 474-3927
- Denise.Obrien@nysed.gov

Heather Zogas

- (518) 473-0210
- Heather.Zogas@nysed.gov

