

# CONTRACT EXTENSIONS

How to complete  
**FORM CE**  
to extend an eligible contract\*

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\*Only contracts that have been competitively bid, or awarded through an RFP, may be extended.

# Contract Categories

Contracts are broken down into several Categories:

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

This set of instructions deals with CE contracts.

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

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*.

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

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

# FORM CE

## INSTRUCTIONS

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

**Form CE**

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

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

**EXTENSION OF CONTRACT FOR PUPIL TRANSPORTATION**  
**(Only Competitively Bid Contracts May Be Extended)**

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)

( ) Special Education Pupil Trans required as a related service

( ) Contract for bus maintenance only.

( ) 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 the letter E\_\_\_\_\_ followed by the six digit contract #.
3. Fill in School District Contact information. Please include email. BOCES: if you are filling out paperwork please use school name and address, not BOCES.
4. 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.

FMT-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 \_\_\_\_\_<sup>5</sup>\_\_\_\_\_ by and between  
(Date)  
\_\_\_\_\_, County of \_\_\_\_\_, N.Y.,  
(Name of School District or BOCES)  
party of the first part and \_\_\_\_\_<sup>6</sup>\_\_\_\_\_, party of the second part.  
(Contractor)

5. Agreement date is the original date the BOE agreed to enter into this contract with the contractor.
6. Fill in School District or BOCES, County and Contractor. \*\*\*If contract vendor has changed names 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

7. Note: School Year dates must be between Sept. 1<sup>st</sup> and June 30<sup>th</sup>. Summer service dates (Form CES) can only be July 1<sup>st</sup> thru Aug 31<sup>st</sup>. ONLY contracts that are for Maintenance or Operations & Maintenance can be July 1<sup>st</sup> thru June 30<sup>th</sup>. **REMEMBER:** Sept. year and June year will be **different**.

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

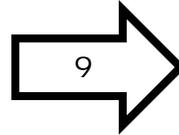
3/15

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

## Lump Sum/Unit Cost & ANTICIPATED Total Cost

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 \_\_\_\_\_

8. Enter Lump Sum or Unit Cost (such as Per pupil per month / Per bus per day / Per bus per month, with matron and/ so on. However the bid was won). In the space below the "unit cost" line, enter the prior year contract or extension price(s), the percentage increase, and the current year prices. If necessary, attach a separate sheet.
9. Enter Total Anticipated Cost.

## Extension AGREEMENT DATE

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



10. 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

_____ Party of the First Part (Signature of Trustee or President of Board of Education)	11 ←————→ ↓	_____ 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: _____ (Date of Superintendent's Approval)		Filed by: _____ (Signature of Superintendent or Designee)

↑  
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11. Signatures: Must be in ORIGINAL ink from BOE, CONTRACTOR & SUPERINTENDENT.
12. DATE OF APPROVAL BY SUPERINTENDENT. **NOTE:** THIS DATE MUST BE ON OR AFTER THE BOE AGREEMENT DATE (used in Step 10.)

**ALSO:** Extension must be approved by the Superintendents of Schools and filed within **120 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

- 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 June 30 of the fifth school year. However, the Total Anticipated ANNUAL Cost will only list the first year amount. (Subsequent year anticipated costs will be listed on a separate sheet attached to the multiyear contract.)
- Only contracts that have been competitively bid, or awarded through a Request for Proposals (RFP), may be extended.
- 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.
- Contract Agreement date is original date of the contract that is being extended (step 5). Extension Agreement date is the current year date in which the BOE met and agreed to enter into extension of said contract (step 10).
- Service dates for school year may start in one year and end in the following. September year and June year WILL BE DIFFERENT.
- Make sure all necessary signatures have been obtained and are in original ink. SED can only accept original signatures.

# 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 120 days** of 1<sup>st</sup> 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 CE Key

Form CE

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

(SED CODE) \_\_\_\_\_

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

**EXTENSION OF CONTRACT FOR PUPIL  
 TRANSPORTATION**  
 (Only Competitively Bid Contracts May Be  
 Extended)

Check if applicable:

Cost Justification Form filed with Dept. Only for a CPI Pass-Thru. (See Reverse)

Special Education Pupil Trans required as a related service (Contract for bus maintenance only.)

District will supply contractor with fuel.

Specifications include:

Provision for attendants, escorts or monitors.

Clause for increasing or decreasing service.

Contact Person \_\_\_\_\_ Tel: ( ) \_\_\_\_\_  
 \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

School District/BOCES \_\_\_\_\_

Street or P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

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 \_\_\_\_\_ 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 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.

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# Office of Pupil Transportation

Please feel free to contact our office for further information:

Educational Management (518) 474-6541

or

[Transportation@nysed.gov](mailto:Transportation@nysed.gov)

