CONTRACT EXTENSIONS

How to complete FORM CE to extend an eligible contract*

*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.
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 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.**

![Cost Justification Form](image-url)
Original Contract Agreement

WHEREAS a transportation contract agreement was made on ____________ by and between

(Date)

(Name of School District or BOCES) County of ____________, N.Y.,

party of the first part and ________________________________ (Contractor) party of the second part.

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

Mo Day Year

and ending

Mo Day Year

7. Note: School Year dates must be between Sept. 1st and June 30th. Summer service dates (Form CES) can only be July 1st thru Aug 31st. ONLY contracts that are for Maintenance or Operations & Maintenance can be July 1st thru June 30th. REMEMBER: Sept. year and June year will be different.
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 Trustees Districts, Chairman
For Sole Trustee Districts, Trustee Only

3/15

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

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)

Check if applicable:
( ) Cost Justification Form filed with Dept. Only for a CPI Pass-Through (See Reverse)
( ) Special Education Pupil Transfers required as a result of service
( ) Contract for bus maintenance only.
( ) District will supply a portion of fuel.
Specifications include:
( ) Provision for attendants, escort or monitors
( ) Clause for increasing or decreasing service.

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 terms and conditions 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-pupil per-mile or other unit cost basis determined as follows

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

Signature of Superintendent or Designee

CPI “Pass-Through” 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.
Office of Pupil Transportation

Please feel free to contact our office for further information:

Educational Management (518) 474-6541

or

Transportation@nysed.gov