

Contract #	Municipality	Ext. Period	Region #	Extension #
D014756	ALBANY COUNTY	2024-2029	1	1

## AGREEMENT TO EXTEND MUNICIPAL SNOW AND ICE AGREEMENT

**Time and Materials**

**Fixed Lump Sum**

**Indexed Lump Sum**

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between THE PEOPLE OF STATE OF NEW YORK (hereinafter referred to as "STATE"), acting by and through the Commissioner of Transportation of the State of New York (hereinafter referred to as "COMMISSIONER"), and the \_\_\_\_\_ of the ALBANY COUNTY (hereinafter referred to as "MUNICIPALITY") as follows:

WHEREAS, the COMMISSIONER and the MUNICIPALITY have entered into an Agreement No. D014756 entitled Municipal Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of ALBANY COUNTY dated \_\_\_\_\_; and

WHEREAS, the term of the said Agreement is for a period of five years commencing **July 1, 2019** and the said Agreement provides that the parties may at the end of each 5-year term of the Agreement extend such term for an additional five years; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, 2024; and Section 1 of said Agreement allows up to a maximum of three extension periods of five years each for a maximum contract life of twenty years;

WHEREAS, Sections 5 of the said Agreement provides that the COMMISSIONER shall furnish the MUNICIPALITY with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement.

WHEREAS, Section 13 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the COMMISSIONER subject to the provisions of Section 13 at the time for extension of the Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and benefits between the parties,

WITNESSETH:

1. The aforementioned Snow and Ice Agreement between New York State Department of Transportation and the MUNICIPALITY" is hereby extended for a period of five years; now to expire on June 30, 2029, unless further extended.

2. The State Highways or parts thereof affected by this Agreement are as delineated on the attached map, agreed upon by the COMMISSIONER and the MUNICIPALITY, which shall be effective for the remainder of the term of the Agreement commencing July 1, 2023, unless changed by future agreement between the COMMISSIONER and the MUNICIPALITY.

3. All the terms and conditions of the original contract remain in effect except as follows. The estimated expenditure specified in Section 13 of the aforementioned Agreement shall be **\$ 1,012,910.06** for **233.00** lane miles for each year of this five-year extension period, for a grand total of **\$ 5,064,550.28**, commencing **July 1, 2024**, unless changed by future update.

4. This Agreement incorporates the June 2023 version of Appendix A, replacing the previous version dated January 2014 MUNICIPALITY" is hereby extended for a period of five years; now to expire on June 30, 2029, unless further extended.

IN WITNESS WHEREOF, This Agreement has been executed by the State, acting by and through the duly authorized representative of the COMMISSIONER, and the MUNICIPALITY, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.

Agency Certification Contract No. D014756

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

THE PEOPLE OF THE STATE OF NEWYORK

MUNICIPALITY

BY \_\_\_\_\_

BY \_\_\_\_\_

for Commissioner of Transportation

Dated: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF NEW YORK

) SS:

COUNTY OF )

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ before me personally came

\_\_\_\_\_ tome known who, being by me duly sworn, did depose and

say that he resides in \_\_\_\_\_ New York; that he is the

\_\_\_\_\_ of \_\_\_\_\_ the municipality described in and which executed the

above instrument; that he executed said instrument by order of the Governing Body of said municipality pursuant to a

resolution which was duly adopted on \_\_\_\_\_ a certified copy of such resolution attached

hereto and made a part hereof.

\_\_\_\_\_

Notary Public

APPROVED AS TO FORM

APPROVED BY NYS COMPTROLLER'S OFFICE

STATE OF NEW YORK ATTORNEY GENERAL

By: \_\_\_\_\_

By: \_\_\_\_\_

**NYSDOT MUNICIPAL SNOW & ICE CONTRACTS**

**Estimated Expenditure Calculation/Adjustment Worksheet For Time & Materials S&I Agreements**

<b>MUNICIPALITY:</b>	ALBANY COUNTY	
<b>CONTRACT:</b>	D014756	
<b>CURRENT CONTRACT PERIOD:</b>	2023/24 – 2028/29	
<b>SEASON:</b>	2024/25	<b>CONTRACT LM: 233.00</b>

<b>2021/22 Actual Final</b>	\$904,980.34
<b>2020/21 Actual Final</b>	\$1,198,102.58
<b>2019/20 Actual Final</b>	\$961,833.46
<b>3-YEAR AVERAGE (2022/23 Estimated Expenditure):</b>	\$1,012,910.06

<b>A: Base Estimated Expenditure (see note 1)</b>	\$1,104,066.90
<b>B: 2022/23 Estimated Expenditure:</b>	\$1,012,910.06
<b>C: Difference (B minus A) (see note 2)</b>	\$-91,156.84
<b>2022/23 Interim Payment:</b>	\$678,649.74

*Note 1: Base Estimated Expenditure refers to the amount that was provided for the first season under the current 5-year contract period.*

*Note 2: As a result of having a light winter during 2021/22, an amendment to increase the contract amount will not be needed. No additional documentation is necessary.*

<b>Reviewed/Approved By:</b>	Signatures Below:
For Municipality:	
DOT Resident Engineer:	
DOT Snow & Ice Program Manager:	