| Contract # | Municipality | Ext. season | Region # |
|---|---|---|---|
| D014718 | Village of Alfred/ Allegany West | 2013/14 | 6 |

## AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT

This Agreement made this _____ day of _____,_____ by and between THE PEOPLE OF THE 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 **Allegany West** of **Village of Alfred** (hereinafter referred to as "MUNICIPALITY") as follows:

WHEREAS, the COMMISSIONER and the MUNICIPALITY have entered into an Agreement No. **D014718** entitled "Indexed Lump Sum Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of **Allegany West**" dated **August 29, 2006** ; and

WHEREAS, the term of the said Agreement is for a period of three years commencing July 1,**2003** and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, **2013**; and

WHEREAS, Section 7 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 9 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 9 at the time for extension of the Agreement;

WHEREAS, Section 9 of the said Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season;

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

WITNESSETH:

1. The aforementioned "Indexed Lump Sum Snow and Ice Agreement Between New York State Department of Transportation and the MUNICIPALITY" is hereby extended for a period of one year; now to expire on June 30, **2014**, 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, **2013**, 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 indexed lump sum estimated expenditure specified in Section 9 of the aforementioned Agreement shall be **$ 2589.10** per lane mile for
1.6 lane miles for a total of **$ 4142.56** for the **2011/12** season and for the remainder of the term of the Agreement commencing July 1, **2011**, unless changed by future update.

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.

over

Agency Certification Contract No. **D014718**

"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 NEW YORK

BY _____
for Commissioner of Transportation

MUNICIPALITY

BY _____

ATTORNEY GENERAL'S SIGNATURE

_____

Dated _____

COMPTROLLER'S SIGNATURE

_____

Dated _____

STATE OF NEW YORK )

) SS:

COUNTY OF )

On the _____ day of _____ in the year _____ before me personally came _____ to me 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

# AGREEMENT ADJUSTMENT WORKSHEET
2013/14 Extension Year

| Municipality | Village of Alfred | Contract | D014718 |
|---|---|---|---|
| County | Allegany | Region | 6 |

| 2012/13 Extension's Estimated Expenditure | | | | | $4,006.86 | |
|---|---|---|---|---|---|---|
| % | Labor | 35.06% | Materials | 28.75% | Equipment | 36.19% |
| Value | $1,405.00 | | $1,151.84 | | $1,450.02 | |

## LABOR *

Labor Portion of 2012/13 Extension's Estimated Expenditure $1,405.00

% Labor Increase for 2011/12 Season x 3.8 %

Additional Labor Costs for 2013/14

| Labor Portion of 2013/14 Extension's Estimated Expenditure | $1458.39 |
|---|---|

* *Attach Municipality's certification of applicable labor cost increase*

## MATERIALS

Materials Portion of 2012/13 Extension's Estimated Expenditure $1,151.84

| | % Materials | 2012/13 Total Material $ | I. Proportionate $ Amount | 2011/12 Price Per Unit | 2010/11 Price Per Unit | Difference (Show +/-) | II. ± ▲ % | I. x II. Inc/Dec |
|---|---|---|---|---|---|---|---|---|
| Salt | 100% | $1,151.84 | $1,151.84 | $43.33 | $40.44 | $2.89 | 7.15% | $82.31 |
| Sand | | | | | | | | |
| Other | | | | | | | | |
| | | | | | | | Materials Total | $82.31 |

| Materials Portion of 2013/14 Extension's Estimated Expenditure | $1,234.15 |
|---|---|

## EQUIPMENT

Equipment Portion of 2012/13 Extension's Estimated Expenditure $1,450.02

% Equipment Increase for 2011/12 Season x 0.00 %

Additional Equipment Costs for 2011/12 $0.00

| Equipment Portion of 2013/14 Extension's Estimated Expenditure | $1,450.02 |
|---|---|

| 2013/14 EXTENSION AMOUNT (Labor + Materials + Equipment) | $4142.56 |
|---|---|

Recommended by: _____ Resident Engineer

Approved by: _____ S&I Program Manager

MAP SHOWING VILLAGE OF ALFRED

RESPONSIBILITY FOR SNOW & ICE CONTROL ON STATE HIGHWAYS FOR THE SEASONS

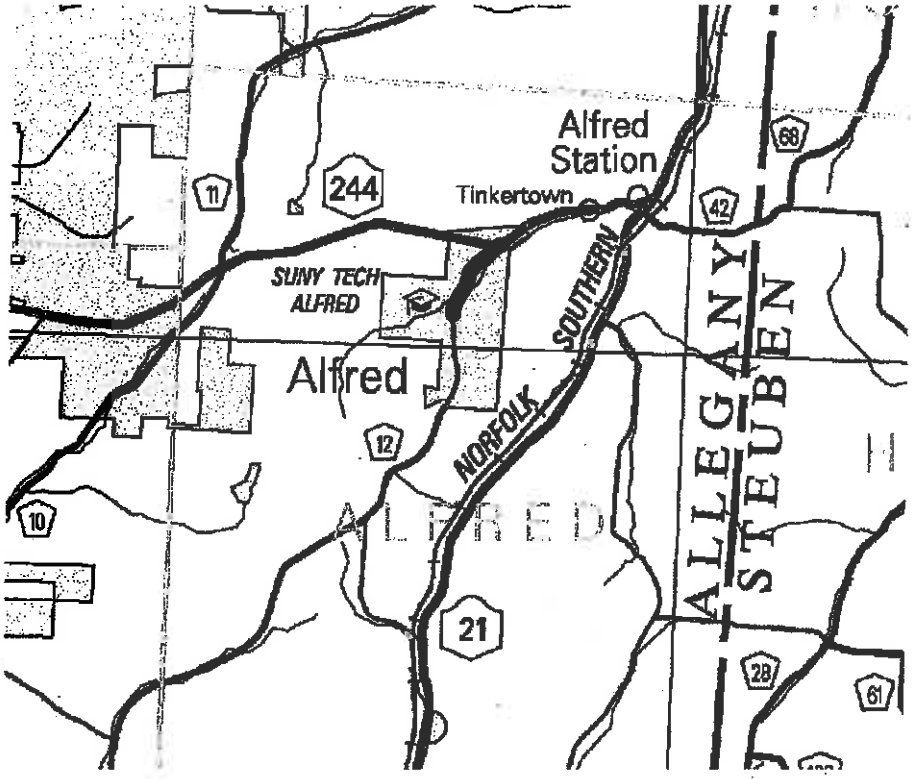
OF 2011/12 – 2013/14

| CENTER LANE MILES | CONTRACT LANE MILES |
|---|---|
| 0.8 | 1.6 |

SNOW AND ICE CONTROL

SIGNED _____ _____

REGIONAL DIRECTOR OF OPERATIONS DATE

SIGNED _____ _____

FOR MUNICIPALITY DATE