

**RESOLUTION OF THE BOARD OF EDUCATION OF
THE AVERILL PARK CENTRAL SCHOOL DISTRICT OF
THE STATE OF NEW YORK FOR THE PURPOSE OF ENTERING INTO
A CONTRACT FOR COOPERATIVE EDUCATIONAL SERVICES**

WHEREAS, the Board of Education of the Averill Park Central School District of New York State (the "School District") desires to enter into a contract with the Board of Cooperative Educational Services, Rensselaer-Columbia-Greene Counties ("Questar III"), entitled the "Contract for Cooperative Educational Services", a copy of which is attached hereto as Exhibit A:

WHEREAS, pursuant to the Contract for Cooperative Educational Services, Questar III will, on behalf of the School District, facilitate the provision of lease/purchase financing for the capital equipment described in Schedule A of the Contract for Cooperative Educational Services (the "Capital Equipment");

WHEREAS, the School District believes that the Contract for Cooperative Educational Services will facilitate the provision of technology improvement under the model schools program;

WHEREAS, the School District believes that the Cooperative Bidding Program provides a cost effective means of facilitating the Contract for Educational Services and that it is in the best interests of the School District to execute and deliver the Contract for Cooperative Educational Services.

NOW, THEREFORE, BE IT RESOLVED, that the Superintendent, or such other individuals as the Board of Education may appoint, be, and hereby is authorized to execute and deliver such documents and papers in the name of the School District as he or she deems necessary, advisable or appropriate to carry into effect the Contract for Cooperative Educational Services.

EXHIBIT A

CONTRACT FOR COOPERATIVE EDUCATIONAL SERVICES

This Contract (the “Contract for Cooperative Educational Services”) made this 12th day of April, 2021 by and between the Board of Education of the Averill Park Central School District of New York State (the “School District”) and the Board of Cooperative Educational Services, Rensselaer-Columbia-Greene Counties (“Questar III”). The School District and Questar III shall sometimes be referred to herein individually, as a “Party” and collectively as the “Parties.”

WITNESSETH:

WHEREAS, Section 1950 (4) (jj) of the Education Law permits the School District to contract with Questar III for a period in excess of one (1) year, but not exceeding five (5) years;

WHEREAS, Questar III desires to facilitate the provision of lease/purchase financing for the capital equipment described in Schedule A attached hereto (the “Capital Equipment”);

WHEREAS, the Parties believe that the Contract for Cooperative Educational Services will facilitate the provision of technology improvement throughout the model schools program in a Questar III component school district;

WHEREAS, the Parties believe that the Cooperative Bidding Program provides a cost effective means of facilitating the Contract for Educational Services;

WHEREAS, on the 29th day of October , 2020, the School District filed with the Commissioner of Education a statement of assurance of technology services, a copy of which is attached hereto as Exhibit A; and

WHEREAS, Questar III is authorized to facilitate provision of the lease/purchase financing pursuant to the Contract for Cooperative Services Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and premises set forth herein, the Parties intending to be legally bound, hereby agree as follows:

1. In consideration for Questar III's facilitation of the provision of the lease/purchase financing for the Capital Equipment, the School District agrees to pay, upon demand by Questar III, the total contract cost for the provision of the Capital Equipment pursuant to the Cooperative Bidding Program, including but not limited to the purchase price, interest, fees and other expenses incurred by Questar III in connection with the facilitation of the lease/purchase financing.

2. The School District further agrees to obtain insurance in an amount not less than the replacement value of the Capital Equipment from the perils of fire, extended coverage, vandalism and theft, naming Questar III as the insured, for the term of the Contract for Cooperative Educational Services.

The Contract for Cooperative Educational Services shall constitute the entire agreement between the Parties, the terms and provision of which shall not be altered, except by mutual agreement of the Parties, in writing.

IN WITNESS WHEREOF, the Parties have set their hands, the day and year indicated below:

Questar III

School District

By: _____

By: _____

Name: Gladys Cruz

Name: _____

Title: Superintendent

Title: _____

Date: _____

Date: _____

Address: Questar III
 10 Empire State Blvd
 Castleton, NY 12033

Address: _____

SCHEDULE A

Description of the Capital Equipment

Chrome Education	416
Chromebook 11 3100	416

SCHEDULE B

Schedule of Payments

Year 1 – 2021/2022	\$32,505.87
Year 2 – 2022/2023	\$32,505.87
Year 3 – 2023/2024	\$32,505.87
Year 4 – 2024/2025	\$32,505.87

EXHIBIT A

STATEMENT OF ASSURANCE FOR TECHNOLOGY SERVICES BETWEEN A SCHOOL DISTRICT AND A BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES)*

In order for a school district which is a component of a BOCES to be eligible for BOCES Aid in accordance with Education Law, §1950 and 3602 for certain categories of a BOCES shared service in CO-SERs 6320: Library Automation; 6360: Instructional Technology-Common Set; and 7710-Computer Service-Management, a school district must undertake the following and so attest to by the Superintendent of Schools.

- 1) This school district seeks to take part in a BOCES shared service in CO-SER 6320 Library Automation; 6360: Instructional Technology-Common Set; or 7710-Computer Service-Management. (Circle appropriate service)
- 2) The service includes one of the following categories: computer equipment; wiring within a room; powering and testing of hardware installations; all costs associated with lease or purchase of local or wide area network hardware located on district property; and incidental costs for original purchase and installation of hardware, including installation of basic operating systems software required for hardware testing.
- 3) The school district has reviewed cost data and related information to determine that, excluding BOCES Aid, the category(s) of the proposed BOCES service is/are more cost-effective than if such service were to be purchased without the involvement of BOCES.
- 4) The school district understands that if the local BOCES is not determined to be cost-effective, upon request, information on costs from other BOCES will be provided for review by contacting the BOCES Unit at the State Education Department (518) 474-3936.
- 5) The school district has determined that the category(s) of the technology service is (are) cost-effective when purchased from the BOCES and proposes to enter into a contract for a shared service.

I HEREBY CERTIFY THAT THE FOREGOING IS CORRECT AND IN COMPLIANCE WITH EDUCATION LAW §1950(4)(d)(2-a).

Dr. James Franchini

Name of School Superintendent

X _____
Signature

QUESTAR III

Provider BOCES

Averill Park CSD

School District

October 29, 2020

Date

Signature of District Superintendent

N.B. Prepare 2 originals; 1 to remain in district; 1 to be on file at BOCES and a copy to be filed with the SED BOCES Unit by provider BOCES.

* A separate Statement of Assurances must be completed for each service: 6320; 6360; 7710

STATEMENT OF ASSURANCE FOR TECHNOLOGY SERVICES BETWEEN A SCHOOL DISTRICT AND A BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES)*

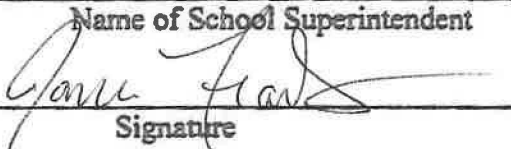
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