

TROLLEY SERVICE AGREEMENT

THIS TROLLEY SERVICE AGREEMENT (this "Agreement"), dated as of the 27th day of May, 2020, by and between the NIAGARA FRONTIER TRANSIT METRO SYSTEM, INC. ("Metro"), a New York public benefit corporation with its principal office for the transaction of business at 181 Ellicott Street, Buffalo, New York 14203, and the CITY OF NIAGARA FALLS (the "City") a New York Municipal Corporation with its principal office for the transaction of business at 745 Main Street, Niagara Falls, New York 14301.

Section 1 Service

For the year 2020, Metro will provide fixed route open door service (the "Service") from the Niagara Falls International Airport to downtown Niagara Falls, as more fully described herein. The Service will begin seven (7) calendar days following the City's written notice to Metro (the "Service Start Date") and operate daily through and including September 27, 2020. The Service will operate weekends only (Friday, Saturday and Sunday) beginning October 2, 2020 through and including October 25, 2020. The Service will operate hourly between 9:00 a.m. and 12:00 a.m. on the Service days indicated above. From November 1, 2020 through December 31, 2020 guests from participating Hotels (defined below) will have access to Metro's regular fixed route, open door non-trolley service. Metro agrees to use reasonable efforts to ensure that the only vehicles used for this Service are the trolley replication vehicles. Attached hereto as Exhibit A and incorporated herein by reference is a map showing the agreed upon area of Service.

Section 2 Compensation

The City will pay Metro \$4,256.95 per day, for a total cost of \$481,035.35 for the period between the Service Start Date and October, 31, 2020, for the operation of the Service described herein. Payment shall be made in six (6) equal installments on the 15th day of each calendar month, commencing June 19, 2020, based on the total number of Service days between the Service Start Date and October, 31, 2020.

Section 3 Metro Passes

Metro will provide the Niagara Falls Hotel Association ("Hotels") with Metro passes ("Passes") for their customers, which can be used as proof of fare. These Passes will be valid for use on all Metro fixed routes from the Service Start Date through December 31, 2020. The Passes will entitle the Hotels' customers to unlimited access to Metro's regular fixed route bus and rail service on the day and month for which it is validated upon boarding by the Metro operator. All Passes must be validated in Niagara County. For each customer the Hotels provides a Pass or Passes to, the Hotels shall cause a statement to be placed on the customer's bill noting the date and number of Passes provided. The Hotels shall maintain these records for a period of one year and agree to provide these records to Metro for audit purposes.

Section 4 Termination

This Agreement may be terminated by either party hereto upon not less than thirty (30) days' prior written notice by the other party hereto if there is a breach of any provision contained herein.

Section 5 Notices

All notices delivered pursuant hereto shall be personally served or sent by registered or certified mail, return receipt requested, at or to the addresses set forth in the preamble of this Agreement, or to such other address(es) as a party hereto may, from time to time, designate after the date first set forth above.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first set forth above.

NIAGARA FRONTIER TRANSIT METRO SYSTEM, INC.

CITY OF NIAGARA FALLS

By: _____


Kimberley A. Minkel
President and COO

By: _____

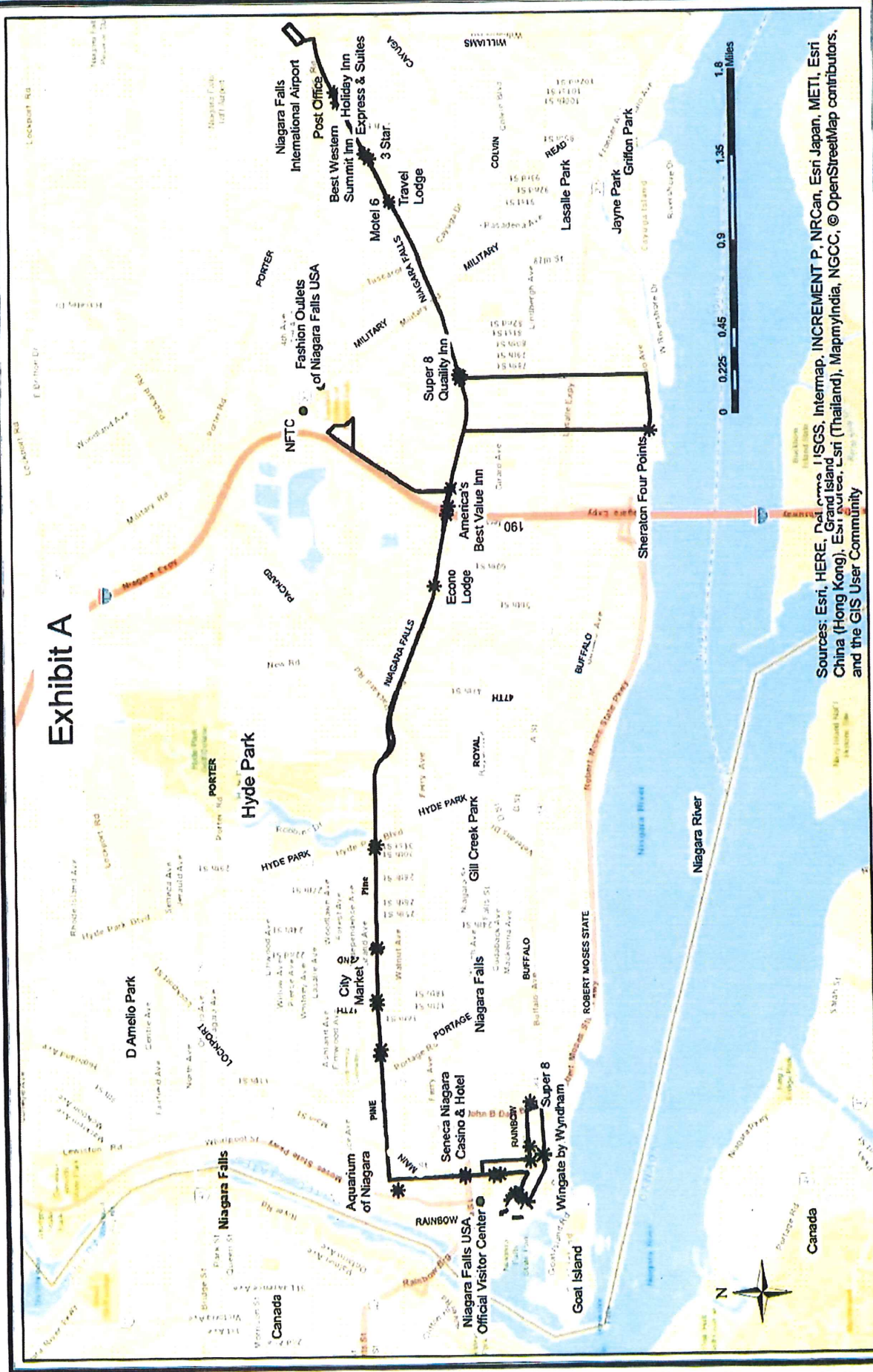
Robert M. Restaino
Mayor

EXHIBIT A

Map of Service
Area

See attached.

Exhibit A



Sources: Esri, HERE, DeLorme, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

NFTA Service Planning Department
February 2020
Source: NFTA Data
Created in ArcGIS 10.5.1 Using Arc Map

Niagara Falls Trolley 2020

