

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

FIRST AMENDMENT TO CONTRACT NO. C000047633

This contractual Agreement entered into by and between the Commonwealth of Pennsylvania (the "Commonwealth"), acting through the Department of Community and Economic Development (the "Grantor"), and

LUZERNE CO CONVENTION CENTER AUTHORITY DBA  
MOHEGAN SUN ARENA AT CASEY PLAZA  
255 Highland Park Blvd  
Wilkes-Barre PA 18702-6769

(the "Grantee")

WITNESSETH:

WHEREAS, the Grantor is responsible for the administration of the COMMUNITY AND MUNICIPAL FACILITIES ASSISTANCE Program, and has a Contract with the Grantee to carry out the purpose of this program, and

WHEREAS, the Grantor wishes to change the terms of the Contract to allow the Grantee to carry out the scope of services, and

NOW, THEREFORE, the parties hereto intending to be legally bound do hereby agree to the following:

1. Those programmatic changes and modifications detailed in Appendix A.
2. The total amount of this Contract, shall remain ONE HUNDRED SEVENTY SEVEN THOUSAND, FIVE HUNDRED FIFTEEN DOLLARS (\$177,515) AND NO CENTS----- .
3. All terms and conditions of this Contract not changed or modified by this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereunto have set their hands and seals on:

WITNESS:

LUZERNE CO CONVENTION CENTER AUTHORITY  
DBA MOHEGAN SUN ARENA AT CASEY PLAZA

SAP Vendor Number  
Federal Identification Number

GRANTEE: Please sign & complete at "X's" only

X By Paul D. Cannon (Seal)  
X Title Chairman  
X Date 10/7/2011

X By Donna M. Cupurs (Seal)  
X Title ASST. TREASURER  
X Date OCTOBER 7, 2011

For Commonwealth signatures only

Approved as to Legality and Form

[Signature] 10/19/11  
Office of Chief Counsel Date

Preapproved Form # 4-K-2101  
Deputy General Counsel

Preapproved Form # 4-K-2101  
Deputy Attorney General

For Commonwealth signatures only

Commonwealth of Pennsylvania  
Acting through the  
Department of Community and  
Economic Development

[Signature]  
Secretary/Deputy Secretary  
10/21/11  
Date

Approved:

I hereby certify that funds in the amount of -0- are  
available under Appropriations Symbol:

-0-

Contract # C000047633  
100% Commonwealth funds

Comptroller approved as to fiscal responsibility, budgetary  
appropriateness and availability of funds

[Signature] 10/26/2011  
Department of Community & Economic Development Comptroller Date

LUZERNE CO CONVENTION CENTER AUTHORITY DBA MOHEGAN SUN ARENA AT CASEY PLAZA

Actual costs came in less than expected and we are requesting the remaining funds be reallocated on items to expand upon the original scope of work.

	<u>Proposed</u>	<u>actual</u>	<u>reallocation proposed</u>
Renovations <sup>(1)</sup>	\$162,144.00	\$145,121.02	\$0
Renovations <sup>(2)</sup>	\$0	\$2,400.00	\$0
Renovations <sup>(3)</sup>	\$0	\$0	\$9,108.00
Renovations <sup>(4)</sup>	\$0	\$0	\$5,901.12
Professional Services	\$2,400.00	\$2,400.00	\$0
Engineering	\$12,971.00	\$12,584.86	\$0
<b>TOTAL</b>	<b>\$177,515.00</b>	<b>\$162,505.88</b>	<b>\$15,009.12</b>

<sup>(1)</sup> Full depth removal of 2" topping and resurfacing with latex modified mortar totaling 6,460 square feet at East bridge and 2,660 at West bridge.

<sup>(2)</sup> Mortar patching of East and West bridges to preserve for winter.

<sup>(3)</sup> Sika flex approximately 300' of beam joint and fill 36 fence post core drilled holes at East and West bridge; repair 170 square feet of concrete at West gate.

<sup>(4)</sup> Purchase and install planter/bench bollards.

The grant amount of \$177,515 will be used towards the costs as listed.