

Agreement Routing Sheet

Type of Agreement **TRAN ENHANCE REIMB POLITICAL**
 Agreement Number **033541A**
 Party **BOROUGH OF SOUTH WILLIAMSPORT**
 City **LYCOMING COUNTY**
 County **LYCOMING**
 Form Number **18-K-2684**
 Federal ID Number **246000659**
 Amount **609000**
 SAP Vendor Number **141687**

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PLEASE SUBMIT ONLY 1 ORIGINAL - MAKE COPIES ONCE FULLY EXECUTED

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EXECUTION PROCESS	RECEIVED	RETURNED
District Executive or Designee For Signature on and Date Agreement Engineering District <u>3-0</u>	<i>4 Nov 11</i>	<i>4 Nov 11</i>
<i>SR</i> Office of Chief Counsel For Final Approval Commonwealth Keystone Building, 9th Floor	<i>11/7/11</i>	<i>11/9/11</i>
Office of the Comptroller For Audit and Approval Forum Place, 9th Floor	<input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> -REJECTED <i>RZ</i>	<i>11/14/11</i>
Office of Chief Counsel For Date/Final Logging Commonwealth Keystone Building, 9th Floor	<i>11/10/11</i>	<i>11/10/11</i>

DISTRIBUTION (1 copy each):

Copy to Contractor

Copy to Comptroller—Forum Place, 9th Floor

Copy to Treasury—Treasury Dept., Treasury Audits, Finance Bldg., Room G-11

Original to: Engineering District 3-0

Attention: 

Telephone: 

RESOLUTION 2011-R20

RESOLUTION REGARDING

RIVER WALK EXTENSION PROJECT AMENDMENT DOCUMENT SIGNATURES

WHEREAS, the River Walk Extension Project Amendment is currently in construction; and

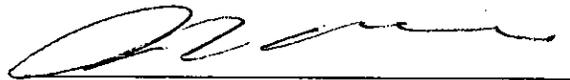
WHEREAS, said construction will require the execution of various documents; and

WHEREAS, the Borough desires to authorize the execution of the necessary documents for the River Walk Extension Project Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council for the Borough of South Williamsport that all documents related to the River Walk Extension Project Amendment requiring execution by a Borough Official are authorized to be executed by the Borough Council President and/or Vice-President.

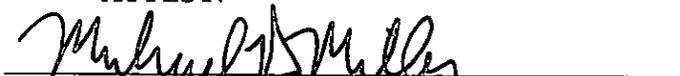
ADOPTED by Council of the Borough of South Williamsport,
Lycoming County, Pennsylvania this 24th day of October, 2011.

BOROUGH OF SOUTH WILLIAMSPORT



J. Bernard Schelb, Council President

ATTEST:


Michael D. Miller, Borough Administrator/Secretary

EFFECTIVE DATE 11/15/2011
(DEPARTMENT will insert)

AGREEMENT NO. 033541A
FEDERAL ID NO. 246000659
SAP VENDOR NO. 141687

COUNTY Lycoming
MUNICIPALITY South Williamsport Borough
MPMS NO. 76456

TRANSPORTATION ENHANCEMENTS PROGRAM
FEDERAL-AID REIMBURSEMENT AGREEMENT
(POLITICAL SUBDIVISIONS AND OTHER PUBLIC BODIES)

THIS SUPPLEMENTAL AGREEMENT is made and entered into by and between the Commonwealth of Pennsylvania, acting through the Department of Transportation ("DEPARTMENT"),

a n d

the Borough of South Williamsport, Lycoming County, a political subdivision duly and properly formed under the laws of the Commonwealth of Pennsylvania, acting through its proper officials ("SPONSOR").

W I T N E S S E T H:

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Pub.L. 109-59, 119 Stat. 1144, approved August 10, 2005 ("SAFETEA-LU"), continues the funding instituted by the Intermodal Surface Transportation Efficiency Act of 1991, Pub. L. 102-240 ("ISTEA"), and continued by the Transportation Equity Act for the 21st Century, Pub. L. 105-178 ("TEA-21"), for transportation enhancements activities; and,

WHEREAS, 23 U.S.C. Section 101(a)(35) defines the activities that qualify as transportation enhancements activities and are thus eligible for the funding authorized by SAFETEA-LU; and,

WHEREAS, the DEPARTMENT will receive federal funding under SAFETEA-LU from the United States Department of Transportation, Federal Highway Administration ("FHWA") through 2009 to be spent on a statewide Transportation Enhancements Program ("Program"), in accordance with 23 U.S.C. Sections 133(b)(8) and 133(d)(2); and,

WHEREAS, federal funding will reimburse a portion of the costs of projects approved by the DEPARTMENT for participation in the Program, the balance of the funding being provided by the project sponsors; and,

WHEREAS, the DEPARTMENT and SPONSOR entered into Agreement No. 033541, dated March 18, 2011, ("Original Agreement"), under which the SPONSOR is developing a Transportation Enhancement project in the Borough of South Williamsport, Lycoming County; and,

WHEREAS, the SPONSOR has signified its willingness to participate in the Program and proceed with the Project, in accordance with the terms, conditions and provisions set forth below; and,

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual promises set forth below, the parties, with the intention of being legally bound, agree to the following:

1. Exhibit AA replaces Exhibit A of the Original Agreement, to reflect additional funds allocated to this project. All references in the Original Agreement to Exhibit A are replaced with Exhibit AA.

2. The estimated costs as shown on Exhibit AA, if different from the costs shown on Exhibit A of Agreement No. 033541, are updated estimates and are substituted for such Exhibit AA estimates. The maximum reimbursement to the SPONSOR for construction costs is \$607,500.
3. Exhibit D, FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006 - GRANTEE INFORMATION, has been attached to the agreement.
4. All other terms and conditions of the Original Agreement, not modified by this Supplemental Agreement shall remain in full force and effect.

This Agreement and the authorizations granted in it shall be effective only after full execution and approval by all necessary Commonwealth officials as required by law. Following full execution, the DEPARTMENT will insert the effective date at the top of Page 1. The authorizations granted by this Agreement shall be further contingent upon written approval of the FHWA, if necessary.

IN WITNESS WHEREOF, the parties have executed this Agreement the date first above written.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

BY Just D. Robinson
District Executive DATE

ATTEST:

Michael D. Miller
Signature DATE
Branch Admin/Secretary
Title

Broughton Smith Williamsport *
(Name of SPONSOR)

BY [Signature]
Signature DATE
DES 10/24/11
Title

(SEAL)

DO NOT WRITE BELOW THIS LINE--FOR COMMONWEALTH USE ONLY

APPROVED AS TO LEGALITY
AND FORM

FUNDS COMMITMENT DOC. NO. _____
CERTIFIED FUNDS AVAILABLE _____
UNDER SAP NO. _____
SAP COST CENTER _____
GL. ACCOUNT _____
AMOUNT N/A

BY Michael D. Miller
for Chief Counsel Date 11/9/11

BY [Signature] 11/24/11
for Comptroller Date

Preapproved Form:
OGC No. 18-K-2681
Approved OAG 5/29/02

* Unless the individuals signing this Agreement on behalf of the SPONSOR are authorized to do so by statute or regulation, the SPONSOR's resolution authorizing execution and attestation must accompany this Agreement; please indicate the signers' titles in the blanks provided and date all signatures.

Agreement No. 033541A is split 100%, expenditure amount of \$609,000 for federal funds and 0%, expenditure amount of \$0.00, for state funds. The related federal assistance program name and number is Highway Planning and Construction (Highway Bill); 20.205. The state program name and SAP fund is N/A; N/A. This paragraph does not affect the costs to the SPONSOR.

political subdivisions

STANDARD TRANSPORTATION ENHANCEMENTS

Agreement No: 033541A

MPMS No: 76456

County: Lycoming

Municipality: Borough of S. Wmspt.

Project Name: Susquehanna Riverwalk Extension

Derivation of Projects Costs

100% Federal-aid

Reimbursable Activity	Federal	Commonwealth	Sponsor	Department Incurred Cost (if any)	Subtotal
Design					
Right of Way					
Utilities					
Construction	\$567,500			\$1,500	\$569,000
Construction Inspection	\$40,000				\$40,000
Subtotal	\$607,500			\$1,500	\$609,000
Total Project Cost					\$609,000

July 3, 2003
LOBBYING CERTIFICATION FORM

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure of Lobbying Activities, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed under *Section 1352, Title 31, U. S. Code*. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for such failure.

SIGNATURE:  _____

TITLE: Council President

DATE: 10/31/2011

Exhibit BB – Page 1 of 1

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006 – GRANTEE INFORMATION

1. Registration and Identification Information

Grantee must maintain current registration in the Central Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded pursuant to this agreement. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.

Grantee must provide its assigned DUNS number, and DUNS + 4 number if applicable, to the Commonwealth along with Grantee's return of the signed grant agreement. The Commonwealth will not process this grant until such time that Grantee provides this information.

2. Primary Location

Grantee must provide to the Commonwealth the primary location of performance under the award, including the city, State, and zip+4. If performance is to occur in multiple locations, then Grantee must list the location where the most amount of the grant award is to be expended pursuant to this grant agreement.

Grantee must provide this information to the Commonwealth along with Grantee's return of the signed grant agreement. The Commonwealth will not process this grant until such time that Grantee provides this information.

3. Compensation of Officers

Grantee must provide to the Commonwealth the names and total compensation of the five most highly compensated officers of the entity **if--**

- (i) the entity in the preceding fiscal year received—
 - (I) 80 percent or more of its annual gross revenues in Federal awards; and
 - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and

- (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.

If the Grantee does not meet the conditions listed above, then it must specifically affirm to the Commonwealth that the requirements of this clause are inapplicable to the Grantee.

Grantee must provide information responding to this question along with Grantee's return of the signed grant agreement. The Commonwealth will not process this grant until such time that Grantee provides such information responding to this question.

EXHIBIT D