PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY GRANT AGREEMENT

This Grant Agreement is entered into, by and between Harrisburg University of Science & Technology, 326 Market Street, Harrisburg, PA 17101-2208, a School, ("Grantee"), and the Commonwealth of Pennsylvania, Pennsylvania Energy Development Authority, 400 Market Street, 15th Floor, Harrisburg, PA 17101 ("Authority" or "PEDA").

WITNESSETH:

WHEREAS, Grantee has submitted a grant application for the Energy Saving Elevator Vestibules project ("Project") and the Pennsylvania Energy Development Authority has approved the application; and

WHEREAS, the Authority is authorized to enter into this grant pursuant to Section 2806-C (14) of the Administrative Code of 1929 (71 P.S. 51 *et seq.*); and

WHEREAS, pursuant to Section 2804-C of the Administrative Code of 1929 (71 P.S. 51 *et seq.*), the Governor has designated DEP to provide staff services to PEDA; and

WHEREAS, additional funds have been made available for the project as authorized by Section 6116 of the Environmental Stewardship and Watershed Protection Act (27 Pa. C.S. 6101 et seq.);

NOW, THEREFORE, the Grantee and the Authority, in consideration of the foregoing and intending to be legally bound hereby, agree as follows:

1. MAXIMUM GRANT DOLLAR AMOUNT- The Authority grants to Grantee the amount not to exceed **$100,000.**

2. GRANT TERM – This Grant Agreement shall not be a legally binding agreement until this Agreement is fully executed by the Commonwealth. The term of this Grant Agreement shall commence on the date this Agreement is fully executed by the Commonwealth, and shall terminate three (3) years from the later to occur of (a) the Project completion date (as defined below) or (b) the date of final payment.

3. PERIOD OF PERFORMANCE – Upon full execution of this Agreement, Project work (a) may, at the discretion of the Authority, be reimbursed from **October 12, 2011** through the date of full execution and (b) shall be paid for from the date of full execution through **April 11, 2013** (the "Project completion date"). All Project work under this Agreement shall be completed no later than the Project completion date.

4. STANDARD COMMONWEALTH ATTACHMENTS- Grantee shall comply with the terms and conditions applicable to "Contractor" in the following standard Commonwealth attachments, each attached hereto and made a part hereof:

Attachment A- Provisions for Commonwealth Contracts
Attachment B- Nondiscrimination/Sexual Harassment Clause

5. DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) GENERAL CONDITIONS – Grantee shall perform Project work in accordance with the following general conditions attached hereto and made a part hereof. For the purposes of this attachment, "Grantee" and "Contractor" are synonymous. For the purpose of this attachment, all references to "Department of Environmental Protection", "Department" or "DEP" shall be read to mean the Authority.

Attachment C- DEP General Conditions

6. SCOPE OF WORK; BUDGET- Grantee shall perform Project work in accordance with the Project Scope of Work set forth in Attachment D. Grantee shall incur expenses under this agreement and the Authority shall pay Grantee for Project work in accordance with the Budget included in Attachment D and in accordance with the Special Requirements/Special Conditions (Attachment E) described in Paragraph 7 below. Attachment D is attached hereto and made a part hereof:

Attachment D- Scope of Work and Budget

7. SPECIAL REQUIREMENTS/SPECIAL CONDITIONS – Grantee shall perform Project work in accordance with the following grant program-specific special conditions attached hereto and made a part hereof. For the purpose of Attachment E, all references to "Department of Environmental Protection" or "DEP" shall be read to mean the Authority.

Attachment E - Special Requirements / Special Conditions
Attachment F – Tax-Exempt Responsibilities of Grantee

IN WITNESS WHEREOF, the parties hereto have signed and sealed these presents.

ATTEST/WITNESS:

Title – Secretary/Treasurer
(circle one)

HARRISBURG UNIVERSITY OF SCIENCE & TECHNOLOGY

Title – President/Vice President
(circle one)

Grantee Vendor ID#: 342296

WITNESS:

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY

Thomas C. Bell
Executive Director

APPROVED AS TO LEGALITY AND FORM:

Chief/Assistant Counsel
Department of Environmental Protection,
on behalf of PEDA

N/R
Office of General Counsel

PRE-APPROVED
Office of Attorney General

I hereby approve this agreement and certify that funds in the amount of $100,000 are available under Appropriation: 3024005000 ~~3577009000~~ ~~3570089003~~ 6600800
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3/23/12
Comptroller

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