

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

SECOND AMENDMENT TO CONTRACT NO. C000046216

This contractual Agreement entered into by and between the **Commonwealth of Pennsylvania, Department of Community and Economic Development**, hereinafter referred to as the "**Grantor**", and the

BERKS COMMUNITY ACTION PROGRAM, INC.
P.O. Box 22
Reading, PA 19603-0022

hereinafter referred to as the "**Grantee**" party of the second part.

WITNESSETH:

WHEREAS, the **Grantor** has a Contract with the **Grantee**, and

WHEREAS, the **Grantor** wishes to amend 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. The termination date of this Contract, as amended, will be DECEMBER 31, 2012.
2. The Contract Activity Period, as amended, will be JULY 1, 2009 to DECEMBER 31, 2012.
3. Those programmatic changes and modification detailed in Appendix C.
4. The total amount of this Contract shall remain TWO MILLION, SEVEN HUNDRED TWENTY NINE THOUSAND, EIGHT HUNDRED EIGHTY FOUR DOLLARS (\$2,729,884.00) AND NO CENTS-----.
5. 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:

BERKS COMMUNITY ACTION PROGRAM,
INC.

Vendor Number 119996
Federal Identification Number 231704527

For Commonwealth signatures only

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

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

X By [Signature] (Seal)

X Title Board Chairman

X Date 2/23/12

[Signature] 3/1/12
Secretary/Deputy Secretary Date

Approved:

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

X By [Signature]

X Title Executive Director

X Date 2/23/12

Program WXX (ARRA)
Contract # C000046216
CFDA # 81.042

For Commonwealth signatures only

Approved as to Legality and Form

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

[Signature] 3/28/2012
Comptroller Date

[Signature] 3/1/12
Office of Chief Counsel Date

Preapproved Form # 4-K-2202
Office of General Counsel Date

Preapproved Form # 4-K-2202
Office of Attorney General Date

SPECIAL CONDITIONS
WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS PROGRAM (ARRA)

Original:

Notwithstanding any provision contained herein to the contrary, the following Special Conditions apply to the above – referenced grant contract and are incorporated therein:

All funds not expended or obligated by the Contractor under this contract by September 30, 2010 must immediately be returned to the Department, unless the Contractor can provide documentation that the funds will be expended prior to the expiration of the contract.

The Contractor must provide quarterly estimated expenditures beginning July 1, 2009 through September 30, 2011.

Amendment #2:

Funds designated under the DIRECT SERVICES, LIABILITY, TRAINING/TECH. ASST., and OTHER categories (hereinafter referred to as "production") in the Contractor's Weatherization Program Budget Summary (Appendix B herein) may NOT be expended after November 30, 2012.

ARRA funds currently designated under the ADMIN category and the FINANCIAL AUDIT category in the Contractor's Weatherization Program Budget Summary may be expended until December 31, 2012. The ADMIN and FINANCIAL AUDIT categories include grant close out activities. Grant close out activities are defined as:

- Reporting
- Data Collection
- Inventory Management
- Transfer of Assets and Disposition
- Transfer of Records
- Consolidation
- Financial Audit

Final Grant Close Out and Final Invoice must be submitted for review and payment no later than December 31, 2012.