

AMENDMENT NO. 1 TO THE  
PROJECT COOPERATION AGREEMENT  
BETWEEN THE DEPARTMENT OF THE ARMY  
AND THE ATHENS TOWNSHIP AUTHORITY  
FOR CONSTRUCTION OF THE  
WILAWANA ROAD SEWER EXTENSION PROJECT  
ATHENS TOWNSHIP, BRADFORD COUNTY, PENNSYLVANIA

THIS AMENDMENT, entered into this 25<sup>th</sup> day of MAY, 2006, by and between the DEPARTMENT OF THE ARMY (hereinafter referred to as the "Government"), represented by the U.S. Army Engineer, Baltimore District, and the Athens Township Authority (hereinafter referred to as the "Non-Federal Sponsor"), represented by its Vice-Chairman.

WITNESSETH THAT:

WHEREAS, on September 8, 2005, the Government and the Non-Federal Sponsor entered into an agreement (hereinafter the "Agreement") for the construction of the Wilawana Road Sewer Extension Project (hereinafter the "Project"); and

WHEREAS, the Non-Federal Sponsor has requested to add the Athens Township Authority Forcemain Extension Project, as a combined portion of the Wilawana Road Sewer Extension Project; and

NOW THEREFORE, the parties agree to amend the Agreement as follows:

1. Article I.A. – The term "Project" shall mean the construction of approximately 8,900 linear feet of gravity sewer pipelines, 620 linear feet of 6-inch PVC laterals, and related site preparation and site restoration for the Wilawana Road Sewer Extension Project, Athens Township, Bradford County, Pennsylvania, as generally described in the Letter Report, dated May 2005; and the construction of approximately 2,890 linear feet of 8-inch PVC pipeline along Spruce and Walnut Streets in the Borough of Athens, 220 linear feet of bore and encasement, 32 linear feet of 18-inch PVC gravity pipe, and modification of existing pump station, as generally described in the Supplemental Letter Report, dated December 2005.
2. Article II.A.3. – The total project cost is changed from "\$667,000" to "\$1,005,200". This change reflects the addition of the Forcemain Extension, which has an estimated construction cost of \$338,200.
3. Article II.A.4. – The Federal funds available for this project is changed from "\$500,000" to "\$800,000".

4. Article VI.A. – The “October 1, 2005” date the Government is to begin quarterly reporting is changed to “March 1, 2006”, the total project cost projection of “\$667,000” is changed to “\$1,005,200” and the Non-Federal Sponsors projected cash contribution of “\$166,750” is changed to “\$251,525”.

5. All other terms and conditions of the Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year first written above.

THE DEPARTMENT OF THE ARMY

ATHENS TOWNSHIP AUTHORITY

BY: Robert J. Davis  
ROBERT J. DAVIS, Jr.  
COL, Corps of Engineers  
District Engineer

BY: Jack Walter  
JACK WALTER  
Chairman

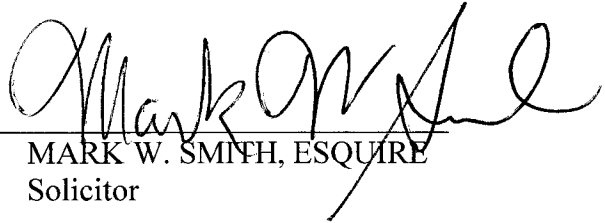
DATE: 25 May 06

DATE: 5 May 06

CERTIFICATE OF AUTHORITY

I, Mark W. Smith, Esquire, do hereby certify that I am the principal legal officer of the Athens Township Authority, that the Athens Township Authority is a legally constituted public body with full authority and legal capability to perform the terms of the Agreement between the Department of the Army and the Athens Township Authority in connection with the Wilawana Road Sewer Extension Project, and to pay damages in accordance with the terms of this Agreement, if necessary, in the event of the failure to perform, and that the persons who have executed this Agreement on behalf of the Athens Township Authority have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this  
5<sup>th</sup> day of May, 2006.

BY:   
MARK W. SMITH, ESQUIRE  
Solicitor

CERTIFICATION REGARDING LOBBYING

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

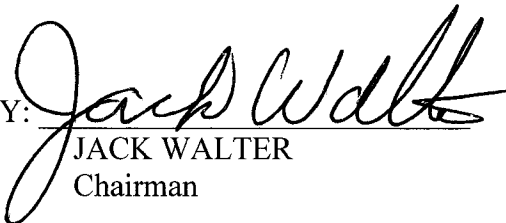
(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection 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 Form to Report Lobbying," 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 by 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 each such failure.

ATHENS TOWNSHIP AUTHORITY

BY:   
JACK WALTER  
Chairman

DATE: 5 MAY 06

CERTIFICATION OF LEGAL REVIEW

The Amendment No. 1 to the Project Cooperation Agreement for the construction of the Section 219 Program Wilawana Road Sewer Extension Project at Athens Township, Bradford County, Pennsylvania has been fully reviewed by the Office of Counsel, U.S. Army Engineer District, Baltimore District, and is legally sufficient.



TIM G. ANDERSON  
District Counsel

DATE: 10 Feb 06