

Contract #4000022622

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered into by and between the Department of Community and Economic Development (“DCED”) and the Intergovernmental Cooperation Authority Harrisburg (“ICA Harrisburg”).

Sections 501 and 502 of the Administrative Code of 1929 (71 P.S. §§ 181 and 182) require Commonwealth departments and agencies to coordinate their work and activities with other Commonwealth departments and agencies.

Section 3 of the Act of May 10, 1939 (P.L. 111, No. 51), known as the Commerce Law authorizes DCED to undertake ways and means of promoting and encouraging the prosperous development of Pennsylvania business, industry and commerce and of expanding markets and promoting and developing new markets for Pennsylvania products, to encourage the location and development of new business, industry and commerce within the Commonwealth, to aid in restoring employment in communities that are affected by unemployment, and to assist persons, firms, associations, political subdivisions, corporations, cooperative associations and other organizations in the execution of its duties and functions under the Commerce Law;

ICA Harrisburg was established under the authority of Section 201 of the Act of October 24, 2018 (P.L. __, No. 124), known as the Intergovernmental Cooperation Authorities Act for Cities of the Third Class (the “Act”), as a public authority and instrumentality of the Commonwealth for the City of Harrisburg and, as such, exercises public powers of the Commonwealth as an agency and instrumentality thereof.

Section 701 of the Act appropriated the sum of \$100,000 from the General Fund to ICA Harrisburg to cover operational expenses, which funds were deposited with DCED to distribute to ICA Harrisburg.

The parties to this MOU set forth the following as the terms and conditions of their understanding:

1. DCED Responsibilities.

- a. Upon the full execution of this MOU, DCED shall transfer to ICA Harrisburg the amount of One Hundred Thousand Dollars (\$100,000.00) (the “Funds”).

2. ICA Harrisburg Responsibilities.

- a. ICA Harrisburg shall use the Funds to cover its operational costs and expenses.
- b. ICA Harrisburg shall submit a Closeout Report and all supporting documentation to DCED on or before August 31, 2020. An electronic copy of the Closeout Report form with instructions can be found at <https://dced.pa.gov/programs-funding/compliance-resources/>. Questions should be directed to DCED’s Audit and Compliance Division via email at ra-audits@pa.gov.

3. General Provisions.

- a. No Contractual Rights. This MOU is not intended to, and does not create, any contractual rights or obligations with respect to the signatory agencies, or other parties.
- b. Disputes. Any dispute arising hereunder shall be submitted to the Office of General Counsel for final resolution.
- c. Choice of Law. The laws of the Commonwealth of Pennsylvania shall be used to interpret this MOU.
- d. Amendments and Modifications. This MOU shall only be modified in writing with the same formality as the original MOU.
- e. Points of Contact.
 - (i) The contact person for this MOU for DCED shall be: Kim Bracey, Executive Director of the Governor’s Center for Local Government Services, DCED, 400 North Street, Commonwealth Keystone Building, 4th Floor, Harrisburg, PA 17120.

- (ii) The contact person for this MOU for ICA Harrisburg shall be: Audry Carter, Vice Chair, ICA Harrisburg, 2920 Green Street, Harrisburg, PA 17110.
 - (iii) Either party may change its designated contact person by providing written notice to the other party.
- f. Effective Date. This MOU will become effective on the date of the last signature and shall terminate on June 30, 2020.
- g. Entire Understanding. This MOU represents the entire understanding between the parties. No other prior or contemporaneous oral or written understandings exist with regards to this relationship.
- h. Counterparts. This MOU may be executed in counterparts, each of which shall be deemed an original and shall have the full force and effect as an original but all of which shall constitute one and the same instrument.

[SIGNATURE PAGE FOLLOWS.]


The parties, through their authorized representatives, have signed this MOU below.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF COMMUNITY AND
ECONOMIC DEVELOPMENT

INTERGOVERNMENTAL COOPERATION
AUTHORITY HARRISBURG



Executive Deputy Secretary 4/26/19 Date

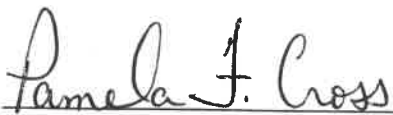
(x) 

Vice Chair 4/22/19 Date

APPROVED AS TO FORM AND LEGALITY:



Office of Chief Counsel 4/25/19 Date
DCED



Deputy General Counsel 5/1/19 Date
Office of General Counsel



Comptroller Operation 5/8/19 Date



CRP CHECK CERTIFICATION FORM

Search Id: eae48165-cab4-4bd4-9c97-e63d43562215
Contractor TIN : XXXXX1032
Contractor Name : INTERGOVERNMENTAL COOPERATION AUTHORITY
User Performing Check : jbusch
Result: No Records(s) Found

CONTRACTOR RESPONSIBILITY CERTIFICATION

I, the undersigned individual, hereby certify the above-referenced contractor has been determined to be a responsible contractor in accordance with the policies and procedures set forth in *Management Directive 215.9, Contractor Responsibility Program*.

I also certify that the contractor has certified in writing that:

- a neither the contractor nor any subcontractors as defined in Management Directive 215.9, Contractor Responsibility Program are under suspension or debarment by the Commonwealth, the federal government, or any governmental entity, instrumentality, or authority or, if the contractor cannot so certify, it has instead provided a written explanation of why such certification cannot be made; and
- b the contractor has no tax liabilities or other Commonwealth obligations, or has filed a timely administrative or judicial appeal if such liabilities or obligations exist, or is subject to a duly approved deferred payment plan if such liabilities exist.

JILL BUSCH

Authorizing Signature

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