

AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
BRIGHTON TRAIL PEDESTRIAN BRIDGE
PO2-628-1700002505
SYP ITEM # 07-03717.00

copy in lieu
of original

This Amendment made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Lexington-Fayette Urban County Government (RECIPIENT) acting as an amendment to that Agreement entered into between the parties dated December 21, 2016,

WHEREAS, on December 21, 2016, the parties hereto entered into an agreement for the Brighton Trail Pedestrian Bridge; and

WHEREAS, the parties desire to amend said agreement;

NOW THEREFORE, in consideration of the following promises and covenants contained herein the parties hereby agree as follows:

1. The Budget and Scope of Work of Agreement numbered PO2-628-1700002505 is hereby modified as show on Attachment A;
2. All other terms and conditions of PO2-628-1700002505 shall remain in effect.

IN WITNESS WHEREOF, the parties have hereto caused these presents to be executed by their officers thereunto duly authorized:

Kentucky Transportation Cabinet:
Approved as to form & legality:

Attorney
Transportation Cabinet

Date: 9/13/18

Commonwealth of Kentucky

Greg Thomas, Secretary
Transportation Cabinet

Date: 9/13/18

Lexington-Fayette County Urban Government:
Approved as to form & legality:

Attorney

Date: 8.29.18

Mayor

Date: 8/30/18

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**ATTACHMENT A
SCOPE OF WORK AND BUDGET**

Scope of Work:

The scope of work is modified to include Right-of-Way activities for the Brighton Trail Bridge.

		Federal Funds (CMAQ)	Local Funds	Toll Credits	Total
Original MOA December 21, 2016	Design Phase Funding: LPA Program# 9241601D	\$36,000.00	\$9,000.00	-	\$45,000.00
	Design Phase Funding: Cabinet Program# 921602D	\$2,000.00	-	\$400.00	\$2,000.00
Supplemental Agreement No. 1 (Current)	ROW Phase Funding: LPA Program# 9241601R	\$54,000.00	\$13,500.00	-	\$67,500.00
	ROW Phase Funding: Cabinet Program# 9241602R	\$5,400.00	-	\$1,080.00	\$5,400.00
Design Phase Total for LPA		\$36,000.00	\$9,000.00	-	\$45,000.00
Design Phase Total for Cabinet		\$2,000.00	-	\$400.00	\$2,000.00
Right-of-Way Total for LPA		\$54,000.00	\$13,500.00	-	\$67,500.00
Right-of-Way Total for Cabinet		\$5,400.00	-	\$1,080.00	\$5,400.00

		Federal Funds (CMAQ)	Local Funds	Toll Credits	Total
Estimated	Utilities- LPA	\$489,600.00	\$122,400.00	-	\$612,000.00
	Utilities- KYTC	\$48,960.00	-	\$9,792.00	\$48,960.00
	Construction- LPA	\$1,602,701.60	\$400,675.40	-	\$2,003,377.00
	Construction-KYTC	\$160,270.16	-	\$32,054.03	\$160,270.16
	Total-LPA	\$2,092,301.60	\$523,075.40	-	\$2,615,377.00
	Total-KYTC	\$209,230.16	-	\$41,846.03	\$209,230.16

RESOLUTION NO. 532-2018

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 WITH THE KENTUCKY TRANSPORTATION CABINET, FOR THE ACCEPTANCE OF ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$54,000.00 FOR THE RIGHT-OF-WAY PHASE FOR THE BRIGHTON TRAIL PEDESTRIAN BRIDGE PROJECT, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT FOR THE EXPENDITURE OF \$13,500.00 AS A LOCAL MATCH.

BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute Supplemental Agreement No. 1, which is attached hereto and incorporated herein by reference, with the Kentucky Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$54,000.00 for the Right-of-Way Phase for the Brighton Trail Pedestrian Bridge Project, the acceptance of which obligates the Urban County Government for the expenditure of \$13,500.00 as a local match.

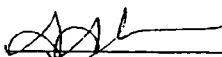
Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: August 30, 2018

MAYOR



ATTEST:



CLERK OF URBAN COUNTY COUNCIL

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RECIPIENT: 21-Kentucky

FEDERAL PROJECT NO: 3003348

RECIPIENT PROJ. NO(S): 07-03717.00

1. The State through its department of transportation, or other recipient, has complied, or hereby agrees to comply, with the applicable terms and conditions set forth in (a) Title 23, U.S. Code, highways; (b) The regulations issued pursuant thereto, and the policies and procedures promulgated by the Federal Highway Administration; and (c) All other applicable federal laws and regulations. 2. The State, or other recipient, stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the provisions set forth in 23 CFR 630.112. These provisions incorporate by reference all other federal laws and regulations pertaining to the project or the activity for which the funds are obligated. Solely for the purposes of emphasis, such applicable provisions include, but are not limited to, the requirements of Appendix A to 2 CFR Part 170—Award terms for Reporting subaward and executive compensation information, and 2 CFR 200, including for those funds for which such amount will be subawarded to a subrecipient, 2 CFR 200.331. 3. Relative to the above designated project, the FHWA has authorized certain work to proceed as evidenced by the date entered opposite the specific item of work. For such authorized work, the federal funds obligated or advance-construction authorized, are not to exceed the amount shown herein. The balance of the estimated total project cost is an obligation of the State or other direct recipient. 4. Such authorization of Federal funds extends only to project costs incurred by the State, or other recipient, following Federal Highway Administration's authorization to proceed with the project.

PROJECT TITLE: Fayette - Right of way activities for the Brighton Rail Trail Pedestrian Bridge in Lexington

PROJECT DESCRIPTION: RIGHT OF WAY ACTIVITIES FOR THE BRIGHTON RAIL TRAIL PEDESTRIAN BRIDGE ACROSS MAN O' WAR BLVD BETWEEN HELMSDALE PLACE AND PINK PIGEON PKWY.

DUNS#: 188593644

CLASSIFICATION OF PHASE OF WORK TO BE PUT UNDER AGREEMENT				EFFECTIVE DATE OF AUTHORIZATION		
HIGHWAY PLANNING & RESEARCH						
PRELIMINARY ENGINEERING						
RIGHT-OF-WAY				08/01/2018		
CONSTRUCTION						
OTHER						

PROGRAM CODE	FAIN	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
L400	213003348L 400		\$72,900.00	80.00%	\$59,400.00	\$0.00
TOTAL			\$72,900.00		\$59,400.00	\$0.00

ESTIMATED TOTAL COST:

\$72,900.00

TOTAL AUTHORIZED FOR PROJECT:

\$59,400.00

EXECUTIVE OFFICE OF THE COMMONWEALTH OF KENTUCKY

AVAILABLE FUNDS CERTIFIED BY: Selena Curry

DATE: 07/10/2018

APPROVED AND REQUESTED BY: Erin Clouse

DATE: 07/13/2018

AGRMT/MODIFY REQUESTED BY: Ronald Rigney

DATE: 07/18/2018

FEDERAL HIGHWAY ADMINISTRATION

PROJECT INFORMATION REVIEWED BY: Keenan Clarke

DATE: 07/18/2018

APPROVAL RECOMMENDED BY: Camille Robinson

DATE: 07/24/2018

APPROVED AND AUTHORIZED BY: Steven Jacobs

DATE: 08/01/2018

RECIPIENT REMARKS:

New Toll Credits total= \$1,080.00
eMARS#- 9241601R;9241602R KYTC#- CM;430
CFDA#- 20.205, Project End Date- 06/30/2020
OBLIGATE \$54,000.00 (L400) OF FEDERAL CMAQ FUNDS FOR THE ROW PHASE AND LFUCG WILL PROVIDE THE MATCHING FUNDS: AND \$5,400.00 (L400) FOR PROJECT OVERSIGHT BY STATE FORCES (TOLL CREDIT MATCH). LPA CONTRACT. SAC
The State agrees that as a condition to payment of Federal funds obligated, it accepts and will comply with the agreement provisions set forth in 23 CFR 630.112; and its signature constitutes the making of certifications. This agreement is subject to the following award terms: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>

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U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID PROJECT AGREEMENT

DIVISION REMARKS: