

AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
TOWN BRANCH TRAIL CROSSING (CMAQ)
PO2-628-1500004792
SYP ITEM # 07-03702.00

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 June 3, 2015.

WHEREAS, on June 3, 2015, the parties hereto entered into an agreement for the Town Branch Trail Crossing; 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 Scope of Work and Budge of Agreement numbered SC-628-1500004792 is hereby amended as outlined in Attachment A;
2. All other terms and conditions of SC-628-1500004792 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:

DocuSigned by:
Todd Shipp
68A0A3E2A83E48E

Attorney

7/26/2021

Date: _____

Commonwealth of Kentucky

Jim Gray

Jim Gray, Secretary

Date: 7/27/2021

Lexington-Fayette Urban County Government:

Approved as to form & legality:

Attorney

Date: _____

Linda Gordon
Mayor

Date: 7/9/2021

**ATTACHMENT A
SCOPE OF WORK AND BUDGET SUMMARY**

Scope of Work

Design and Right-of-Way activities for the Town Branch Trail Mid-Block Crossing.

This Supplemental Agreement authorizes \$50,000 in federal CMAQ funds for additional design activities to redesign a portion of the project to remove the need for a retaining wall and avoid ROW and utility conflicts.

		Federal Funds (CMAQ)	Local Funds	Toll Credits	Total
Original MOA (June 3, 2015)	Design Phase Funding: LPA Program# 9032001D	\$43,000.00	\$10,750.00	-	\$53,750.00
	Design Phase Funding: Cabinet Program# 9032002D	\$2,000.00	-	\$200.00	\$2,000.00
Supplemental Agreement No. 1 (July 17, 2015)	Design Phase Funding: LPA Program# 9032001D	+\$22,200.00	+\$5,550.00	-	+\$27,750.00
Supplemental Agreement No. 2 (January 1, 2016)	No funding change. Supplemental Agreement was for a time extension only.				
Supplemental Agreement No. 3 (June 5, 2016)	Design Phase Funding: LPA Program# 9032001D	+\$8,080.00	+\$2,020.50	-	+\$10,102.50
	Included a time extension to June 30, 2018.				
Supplemental Agreement No.4 (June 20, 2017)	Supplemental Agreement to change Scope of Work to Design and R/W activities due to budget constraints and to designate Person In Responsible Charge. LFUCG to be responsible for procuring additional funding to finish construction.				
Supplemental Agreement No. 5 (June 5, 2018)	Design Phase Funding: Cabinet Program# 9032002D	+\$3,000.00	-	+\$600.00	+\$3,000.00
	ROW Phase Funding: LPA Program# 9032001R	+\$106,000.00	+\$26,500.00	-	+\$132,500.00

LFUCG
 TBT Crossing
 CMAQ/\$408,700
 SYP Item# 07-03702.00
 SC-628-1500004792
 Supplemental Agreement #6

	ROW Phase Funding: Cabinet Program# 9032002R	+10,600.00	-	+\$2,120.00	+\$10,600.00
Time extension to June 30, 2019.					
Supplemental Agreement No. 6 (CURRENT)	Design Phase Funding: LPA Program# 9032001D	+\$50,000.00	+\$12,500.00	-	+\$62,500.00
	Design Phase Funding: Cabinet Program# 9032002D	-	+\$5,000.00	+\$1,250.00 (state funds)	+\$6,250.00
Design Phase Total for LFUCG		\$123,280.00	\$30,820.00	-	\$154,100.00
Design Phase Total for Cabinet		\$10,000.00	-	\$2,050.00	\$11,250.00
ROW Phase Total for LFUCG		\$106,000.00	\$26,500.00	-	\$132,500.00
ROW Phase Total for Cabinet		\$10,600.00	-	\$2,120.00	\$10,600.00

LFUCG
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ATTACHMENT B

ATTACH A RESOLUTION HERE

RESOLUTION NO. 422-2021

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AMENDMENT NO. 6 TO AN AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET IN ORDER TO ACCEPT ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$50,000.00 FOR THE DESIGN PHASE OF THE TOWN BRANCH TRAIL CROSSING PROJECT, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT TO THE EXPENDITURE OF \$12,500.00 AS A LOCAL MATCH, AND AUTHORIZING THE MAYOR TO TRANSFER UNENCUMBERED FUNDS WITHIN THE GRANT BUDGET.

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 Amendment No. 6 to an Agreement with the Kentucky Transportation Cabinet, which is attached hereto and incorporated herein by reference, in order to accept additional federal funds in the amount of \$50,000.00 for the design phase of the Town Branch Trail Crossing project, the acceptance of which obligates the Lexington-Fayette Urban County Government to the expenditure of \$12,500.00 as a local match.

Section 2 - That subject to the provisions of Ordinance No. 22-79, the Mayor is hereby authorized, in her discretion as Chief Executive Officer of the Urban County Government, to transfer the unencumbered balance of any operating or capital account appropriation to another operating or capital account appropriation within the Grant budget.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: July 8, 2021

Perick Gordon

MAYOR

ATTEST:

[Signature]
CLERK OF URBAN COUNTY COUNCIL
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