

RESOLUTION NO. 048 -2024

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 5 WITH THE KENTUCKY TRANSPORTATION CABINET, FOR THE ACCEPTANCE OF ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$700,000.00 FOR THE CONSTRUCTION PHASE OF THE WILSON DOWNING SIDEWALK PROJECT, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT FOR THE EXPENDITURE OF \$175,000.00 AS A LOCAL MATCH, WHICH IS CONDITIONED UPON APPROVAL OF THE NECESSARY BUDGET AMENDMENTS, AND FURTHER 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 Supplemental Agreement No. 5, 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 \$700,000.00 for the Construction Phase of the Wilson Downing Sidewalk Project, the acceptance of which obligates the Urban County Government for the expenditure of \$175,000.00 as a local match, which is conditioned upon the approval of the necessary budget amendments.

Section 2 – That subject to the provisions of Section 7-48 of the Lexington-Fayette Urban County Government Code of Ordinances, 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 established for this Grant.

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

PASSED URBAN COUNTY COUNCIL: February 1, 2024

MAYOR *Rinda Gordon*

ATTEST:
[Signature]
CLERK OF URBAN COUNTY COUNCIL

**AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
WILSON DOWNING SIDEWALKS/ ITEM NO. 07-03216.00 (SIDEWALK) & 07-03216.10 (BRIDGE)
SC-628-1700004178
SUPPLEMENTAL AGREEMENT NO. 5**

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 May 17, 2017.

WHEREAS, on May 17, 2017, the parties hereto entered into an agreement for the Wilson Downing Sidewalks Project; 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 SC-628-1700004178 is hereby modified as show on Attachment A;
2. All other terms and conditions of SC-628-1700004178 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: _____

Commonwealth of Kentucky

Jim Gray, Secretary
Transportation Cabinet

Date: _____

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

Attorney

Date: _____

Linda Horton

Mayor

Date: 3/1/2024

LFUCG
WILSON DOWNING
SYP # 07-03216.00
SUPPLEMENTAL # 5
SC-628-1700004178

9381103D to 9237103D and the SLX KYTC state forces funding in the amount of \$5,000 from 9381104D to 9237104D.							
Supplemental Agreement No. 4 (March 20, 2023)	Construction Phase Funding: LPA Program# 9237101C	-	+\$740,000.00	-	+\$185,000.00	-	+\$925,000.00
	Construction Phase Funding: Cabinet Program# 9237102C	-	\$10,000.00	-	-	+\$2,500.00	+\$12,500.00
Supplemental Agreement No. 5 (Current)	Construction Phase Funding: LPA Program# 9237101C	-	-	+\$700,000.00	+\$175,000.00	-	+\$875,000.00
Design Phase Total for LPA		\$80,000.00	-	\$55,000.00	\$33,750.00	-	\$168,750.00
Design Phase Total for Cabinet		\$5,000.00	-	\$5,000.00	-	\$1,000.00	\$10,000.00
R/W Phase Total for LPA		-	\$8,000.00	-	\$2,000.00	-	\$10,000.00
R/W Phase Total for Cabinet		-	\$1,000.00	-	-	\$200.00	\$1,000.00
Construction Phase total for LPA		-	\$740,000.00	\$700,000.00	\$360,000.00	-	\$1,800,000.00
Construction Phase Total for Cabinet		-	\$10,000.00	-	-	\$2,500.00	\$12,500.00

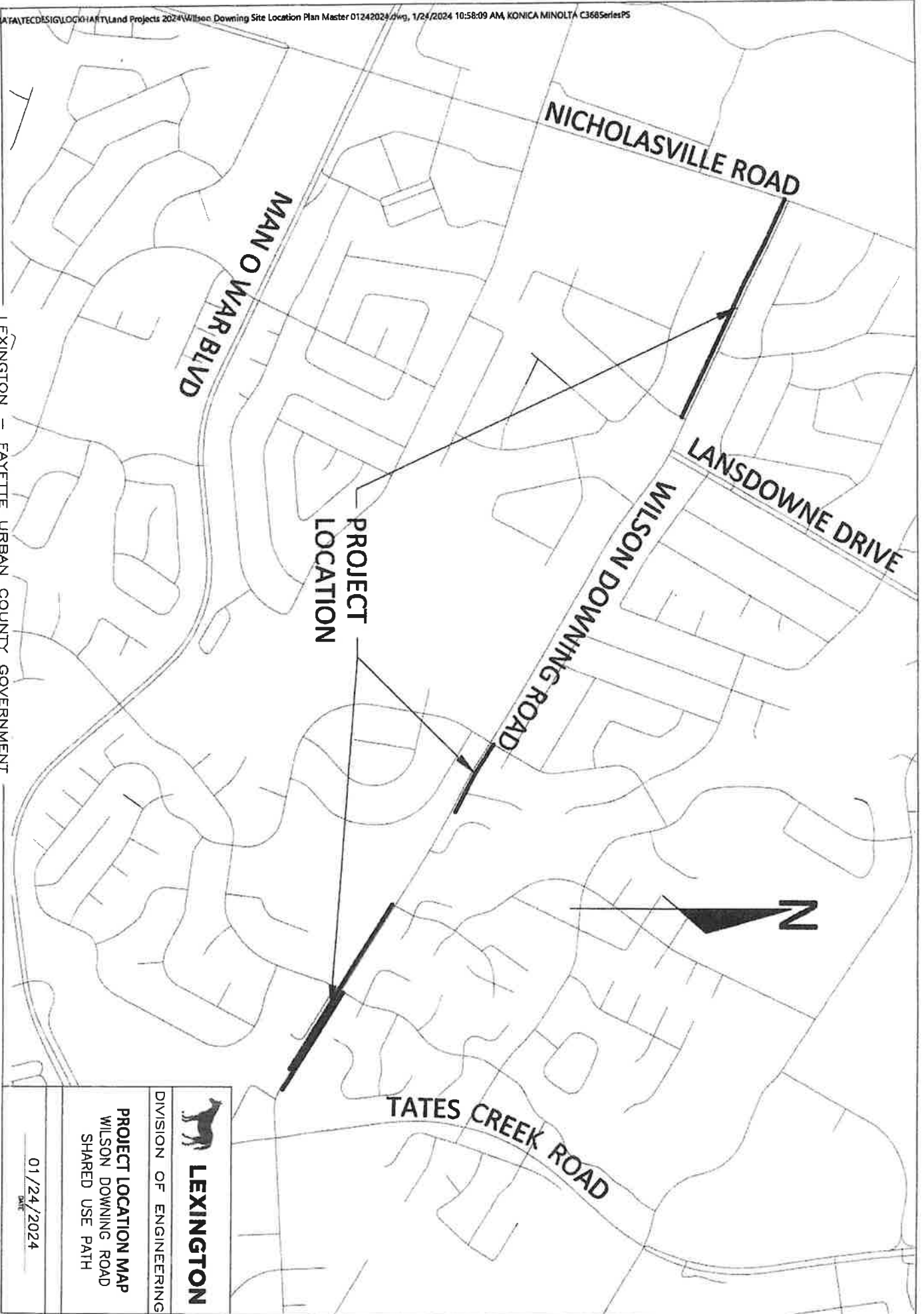
LFUCG
WILSON DOWNING
SYP # 07-03216.00
SUPPLEMENTAL # 5
SC-628-1700004178

**ATTACHMENT C
PERSON IN RESPONSIBLE CHARGE**

If the Person in Responsible Charge has changed since the execution of the original MOA, please attach a new form as Attachment C.

The form can be accessed at: <https://transportation.ky.gov/Program-Management/Documents/LPA1%20-%20Attach%203%20-%20Person%20in%20Responsible%20Charge%20Form.docx>.

If a new form is unnecessary, no Attachment C will be required with this Supplemental Agreement.



LEXINGTON - FAYETTE COUNTY GOVERNMENT



DIVISION OF ENGINEERING

PROJECT LOCATION MAP
WILSON DOWNING ROAD
SHARED USE PATH

01/24/2024
DATE