

AMENDMENT TO THE AGREEMENT BETWEEN  
KENTUCKY TRANSPORTATION CABINET  
AND THE  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
TOWN BRANCH COMMONS CORRIDOR-VINE STREET AND TRANSIT CENTER (ZONE 2)  
SC-628-1600003719  
SYP ITEM # 07-03207.00

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 24, 2016.

WHEREAS, on June 24, 2016, the parties hereto entered into an agreement for the Town Branch Commons Corridor-Vine Street and Transit Center 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 Scope of Work and Budget of Agreement numbered SC-628-1600003719 made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Recipient, are hereby modified as outlined on Attachment A;
2. All other terms and conditions of SC-628-1600003719 shall remain in effect.

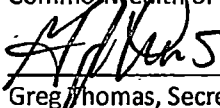
IN WITNESS WHEREOF, the parties have hereto caused these presents to be executed by their officers thereunto duly authorized:

Kentucky Transportation Cabinet:  
Approved as to form & legality:

  
\_\_\_\_\_  
Attorney  
Transportation Cabinet

Date: 10/15/19

Commonwealth of Kentucky

  
\_\_\_\_\_  
Greg Thomas, Secretary  
Transportation Cabinet

Date: 10/15/19

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

  
\_\_\_\_\_  
Attorney

Date: 9.17.19

  
\_\_\_\_\_  
Mayor

Date: 9/17/19

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

**Scope of Work:**

All federally-funded projects are set up in phases (design, ROW, utilities, construction). No work can begin on any phase of a project until the CABINET provides a written notice to proceed for that phase. Funding for this project will be programmed with FHWA as each phase is approved. As each phase of the project is programmed with FHWA a supplemental agreement will be sent to the project sponsor to add the funding and adjust the project end date. Any expenditure incurred by the project sponsor after the end date will not be eligible for reimbursement. If the project sponsor requires an extension, they must notify the Administering Office thirty (30) days before the project end date.

The scope of work for this project includes PE, design, environmental and construction of bike/ped facilities, pedestrian crossings and other pedestrian improvements at LEXTRAN Central Transit Center on Vine Street between Quality Street and Limestone.

This supplemental agreement modifies the scope of work and budget to include construction activities and construction funding for the project.

**Budget:**

		Federal Funds (TAP)	Local Funds	Toll Credits	Total
<b>ORIGINAL MOA (June 24, 2016)</b>	Design Phase Funding: LFUCG Program# 9148801D	\$234,796.00	\$58,699.00	-	\$293,495.00
	Design Phase Funding: Cabinet Program# 9148802D	\$10,000.00	-	\$2,000.00	\$10,000.00
<b>SUPPLEMENTAL AGREEMENT NO. 1 (CURRENT)</b>	Construction Phase Funding: LFUCG Program# 9148801C	+\$2,495,418.00	+\$623,854.50	-	+\$3,119,272.50
	Construction Phase Funding: Cabinet Program# 9148802C	+\$249,542.80	-	+\$49,908.56	+\$249,542.80
<b>Design Phase Total for LFUCG</b>		<b>\$234,796.00</b>	<b>\$58,699.00</b>	<b>-</b>	<b>\$293,495.00</b>
<b>Design Phase Total for Cabinet</b>		<b>\$10,000.00</b>	<b>-</b>	<b>\$2,000.00</b>	<b>\$10,000.00</b>
<b>Construction Phase Total for LFUCG</b>		<b>\$2,495,418.00</b>	<b>\$623,854.50</b>	<b>-</b>	<b>\$3,119,272.50</b>
<b>Construction Phase Total for Cabinet</b>		<b>\$249,542.80</b>	<b>-</b>	<b>\$49,908.56</b>	<b>\$249,542.80</b>

**ATTACHMENT B**

**ATTACH A RESOLUTION HERE**

A resolution is necessary if funds are being added or removed from a project or the original terms and conditions are being altered.

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO ACCEPT A GRANT FROM THE KENTUCKY TRANSPORTATION CABINET, WHICH GRANT FUNDS ARE IN THE AMOUNT OF \$2,495,418.00 FEDERAL FUNDS, ARE FOR THE REMAINING PHASES OF THE TOWN BRANCH COMMONS TRAIL, UNDER THE TRANSPORTATION ALTERNATIVES PROGRAM (TAP), THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT FOR THE EXPENDITURE OF \$516,855.00 AS A LOCAL MATCH, TO EXECUTE AN AGREEMENT WITH LEXTRAN, AS A GRANT PARTNER, TO EXECUTE ALL NECESSARY DOCUMENTS REQUIRED FOR THE ACCEPTANCE OF THOSE FUNDS, AND AUTHORIZING THE MAYOR TO TRANSFER UNENCUMBERED FUNDS WITHIN THE GRANT BUDGET.

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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 accept a grant from the Kentucky Transportation Cabinet, which Grant funds are in the amount of \$2,495,418.00 Federal funds, are for the remaining Phases of the Town Branch Commons Trail, under the Transportation Alternatives Program (TAP), the acceptance of which obligates the Lexington-Fayette Urban County Government for the expenditure of \$516,855.00 as a local match, to execute an agreement with LexTran, as a Grant Partner, and to execute all necessary documents required for the acceptance of those funds.

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 previously established for this Grant.

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

PASSED URBAN COUNTY COUNCIL: March 21, 2019

  
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MAYOR

ATTEST:

  
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CLERK OF URBAN COUNTY COUNCIL  
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