

**AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
ROSEMONT GARDEN SIDEWALKS
SC-628-1700004171
SYP ITEM # 07-03219.00
SUPPLEMENTAL AGREEMENT NO. 2**

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 the Agreement entered into between the parties dated May 17, 2017.

WHEREAS, on May 17, 2017, the parties hereto entered into an agreement for the Rosemont Garden Sidewalks; 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-628-1700004171 is hereby modified as show on Attachment A;
2. All other terms and conditions of SC-628-1700004171 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:

Commonwealth of Kentucky

Attorney
Transportation Cabinet

Jim Gray, Secretary
Transportation Cabinet

Date: _____

Date: _____

Lexington-Fayette Urban County Government:

Approved as to form & legality:

Attorney

Mayor

Date: _____

Date: _____

ATTACHMENT A

SCOPE OF WORK

This supplemental agreement modifies the original scope of work and budget to include dedicated STP (SLX) funding for construction activities.

BUDGET

| | | Federal Funds (TAP) | Federal Funds (SLX) | Local Funds | State Match | Total |
|---|--|---------------------|---------------------|-------------|------------------------------|--------------|
| ORIGINAL MOA (MAY 17, 2017) | Design Phase Funding: LFUCG Program# 9241701D | \$100,000.00 | - | \$25,000.00 | - | \$125,000.00 |
| | Design Phase Funding: Cabinet Program# 9241702D | \$10,000.00 | - | - | \$2,000.00 (toll credits) | \$10,000.00 |
| SUPPLEMENTAL AGREEMENT NO. 1 (January 7, 2021) | Design Phase Funding: LFUCG Program# 9241701D | -\$11,200.00 | - | -\$2,800.00 | - | -\$14,000.00 |
| | Design Phase Funding: Cabinet Program# 9241702D | -\$1,120.00 | - | - | -\$112.00 (toll credits) | -\$1,120.00 |
| | RW Phase Funding: LFUCG Program# 9241701R | +\$11,200.00 | - | +\$2,800.00 | - | +\$14,000.00 |
| | RW Phase Funding: Design Program# 9241702R | +\$1,400.00 | - | - | +\$350.00 (state funds) | +\$1,750.00 |
| SUPPLEMENTAL AGREEMENT NO. 2 (CURRENT) | Design Phase Funding: LFUCG Program# 9241701D | -\$39,864.01 | - | -\$9,966.00 | - | -\$49,830.01 |
| | Design Phase Funding: Cabinet Program# 9241702D | -\$6,627.93 | - | - | -\$662.79 | -\$6,627.93 |
| | RW Phase Funding: LFUCG Program# 9241701R | -\$3,792.00 | - | +\$948.00 | - | +\$4,740.00 |

| | | | | | | |
|--|--|---------------------|----------------------|---------------------|-------------------------------------|----------------------|
| | RW Phase Funding: Design Program# 9241702R | -\$1,400.00 | - | - | -\$350.00 (state funds) | -\$1,750.00 |
| | Construction Phase Funding: LFUCG Program# 9241701C | - | +\$312,000.00 | +\$78,000.00 | - | +\$390,000.00 |
| | Construction Phase Funding: Design Program# 9241702C | - | +\$31,200.00 | - | +\$7,800.00 (state funds) | +\$39,000.00 |
| | TOTAL DESIGN PHASE FUNDING LPA | \$88,800.00 | - | \$22,200.00 | - | \$111,000.00 |
| | TOTAL DESIGN PHASE FUNDING KYTC | \$8,800.00 | - | - | \$2,000.00 | \$8,800.00 |
| | TOTAL RIGHT OF WAY FUNDING LPA | \$7,408.00 | - | \$1,852.00 | - | \$9,260.00 |
| | TOTAL RIGHT OF WAY FUNDING KYTC | \$0.00 | - | - | \$0.00 | \$0.00 |
| | TOTAL CONSTRUCTION FUNDING- LPA | +\$43,656.01 | \$312,000.00 | \$88,914.00 | - | \$444,570.01 |
| | TOTAL CONSTRUCTION FUNDING- KYTC | - | \$28,800.00 | - | \$7,200.00 | \$36,000.00 |

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. Effective December 26, 2014, FHWA requires a project end date for each federal project phase programmed. 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.

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.

ATTACHMENT C
PERSON IN RESPONSIBLE CHARGE FORM

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.