

**AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
W. LOUDON AVENUE STREETScape
SC-628-2200000375/SYP ITEM # 07-03203.00
SUPPLEMENTAL AGREEMENT NO. 03**

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 6, 2016.

WHEREAS, on June 6, 2016, the parties hereto entered into an agreement for the West Loudon Avenue Streetscape 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 the Agreement is hereby modified as show on Attachment A;
2. Agreement numbered SC-628-1800002729 is hereby replaced by SC-628-2200000375.
3. All other terms and conditions of the original Agreement 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

Jim Gray, Secretary

Date: _____

Date: _____

Lexington-Fayette Urban County Government:

Approved as to form & legality:

Attorney

Mayor

Date: _____

Date: _____

**ATTACHMENT A
SCOPE OF WORK AND BUDGET**

Scope of Work:

PE, environmental and design engineering for sidewalks, bike lanes, delineating parking and walkways along W Loudon from South Broadway to Limestone.

This project was awarded a total of \$387,000 in TAP funding. Design funds are set up using TAP-MPO funds.

Budget:

		Federal Funds TAP-MPO	Local Funds	State Match	Total
Original MOA June 6, 2016	Design Phase Funding: LPA Program# 9093201D	\$76,950.00	\$19,238.00	\$0.00	\$96,188.00
	Design Phase Funding: Cabinet Program# 9093202D	\$5,000.00	\$0.00	\$1,000.00 (toll credits)	\$5,000.00
Supplemental Agreement No. 1 (October 5, 2017)	This supplemental agreement was for a time extension only. The end date was extended to June 30, 2018.				
Supplemental Agreement No. 2 (January 16, 2018)	Design Phase Funding: LPA Program# 9093201D	-\$53,876.64	-\$13,469.66	\$0.00	-\$67,346.30
Supplemental Agreement No. 3 (Current)	Design Phase Funding: LPA Program# 9093201D	+\$53,876.64	+\$13,469.66	\$0.00	+\$67,346.30
Design Phase Total for LPA		\$76,950.00	\$19,238.00	\$0.00	\$96,188.00
Design Phase Total for Cabinet		\$5,000.00	\$0.00	\$0.00	\$5,000.00

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 authorizing the Mayor or Judge/Executive to sign this agreement 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.