

AMENDMENT TO THE AGREEMENT BETWEEN  
KENTUCKY TRANSPORTATION CABINET  
AND THE  
LEXINGTON-FAYETTE COUNTY URBAN GOVERNMENT  
DUNS: 020428777  
WEST HICKMAN TRAIL  
SC-628-1600005956  
SYP ITEM # 07-03713.00/AUTHORIZATION # 92366

copy in lieu  
of original

This Amendment made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Lexington-Fayette County Urban Government (RECIPIENT) acting as an amendment to that Agreement entered into between the parties dated July 12, 2016.

WHEREAS, on July 12, 2016, the parties hereto entered into an agreement for the West Hickman Trail Project;  
and

WHEREAS, the parties desire to amend said agreement;

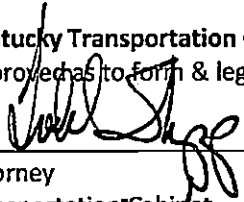
NOW THEREFORE, in consideration of the following promises and covenants contained herein the parties hereby agree as follows:

1. The Terms and Conditions and Budget of Agreement numbered SC-628-1600005956 made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Recipient, are hereby amended as outlined in Attachment A;
2. All other terms and conditions of SC-628-1600005956 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:

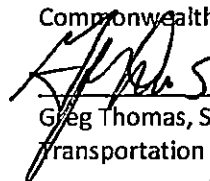
Approved as to form & legality:



Attorney  
Transportation Cabinet

Date: 10/24/18

Commonwealth of Kentucky

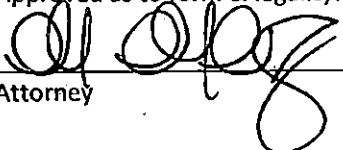


Greg Thomas, Secretary  
Transportation Cabinet

Date: 10/24/18

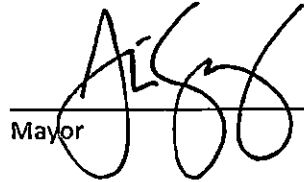
Lexington-Fayette County Urban Government:

Approved as to form & legality:



Attorney

Date: 10/16/18



Mayor

Date: 10/16/18

RECEIVED  
OCT 18 2018  
BY: \_\_\_\_\_

RESOLUTION NO. 602 - 2018

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AN AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET, FOR THE ACCEPTANCE OF FEDERAL FUNDS IN THE AMOUNT OF \$608,131.20 FOR THE CONSTRUCTION OF THE WEST HICKMAN TRAIL PROJECT, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT FOR THE EXPENDITURE OF \$152,032.80 AS A LOCAL MATCH.


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 to execute the Agreement, which is attached hereto and incorporated herein by reference, with the Kentucky Transportation Cabinet, for the acceptance of Federal funds in the amount of \$608,131.20 for the construction phase of the West Hickman Trail Project, the acceptance of which obligates the Urban County Government for the expenditure of \$152,032.80 as a local match.

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: October 11, 2018

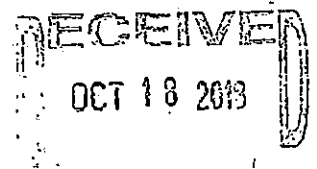
MAYOR



ATTEST:

  
CLERK OF URBAN COUNTY COUNCIL

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**ATTACHMENT A  
 SCOPE OF WORK AND BUDGET**

**Scope of Work:**

This supplemental agreement adds federal CMAQ funds for the construction phase of the project. The project end date for the construction phase is December 31, 2021.

**Budget:**

		Federal Funds (CMAQ)	Local Funds	Total Credits	Total
Original MOA (July 12, 2016)	Design Phase Funding: LPA Program# 9152801D	\$112,350.00	\$28,087.50	-	\$140,437.50
	Design Phase Funding: Cabinet Program# 9152802D	\$2,000.00	-	\$400.00	\$2,000.00
Supplemental Agreement No. 1 (July 12, 2017)	Supplemental Agreement to extend project end date to December 31, 2018. No budget or scope of work changes.				
Supplemental Agreement No. 2 (Current)	Construction Phase Funding: LPA Program# 9152801C	+\$608,131.20	+\$152,032.80	-	+\$760,164.00
	Construction Phase Funding: Cabinet Program# 9152802C	+\$10,000.00	-	+\$1,000.00	+\$10,000.00
<b>Design Phase Total for LPA</b>		<b>\$112,350.00</b>	<b>\$28,087.50</b>	<b>-</b>	<b>\$140,437.50</b>
<b>Design Phase Total for Cabinet</b>		<b>\$2,000.00</b>	<b>-</b>	<b>\$400.00</b>	<b>\$2,000.00</b>
<b>Construction Phase Total for LPA</b>		<b>\$608,131.20</b>	<b>\$152,032.80</b>	<b>-</b>	<b>\$760,164.00</b>
<b>Construction Phase Total for Cabinet</b>		<b>\$10,000.00</b>	<b>-</b>	<b>\$1,000.00</b>	<b>\$10,000.00</b>

**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
FEDERAL-AID PROJECT AGREEMENT**

RECIPIENT: 21-Kentucky

FEDERAL PROJECT NO: 3003350

RECIPIENT PROJ. NO(S): 07-03713.00

1. The State through its department of transportation, or other recipient, has complied, or hereby agrees to comply, with the applicable terms and conditions set forth in (a) Title 23, U.S. Code, highways; (b) The regulations issued pursuant thereto, and the policies and procedures promulgated by the Federal Highway Administration; and (c) All other applicable federal laws and regulations. 2. The State, or other recipient, stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the provisions set forth in 23 CFR 630.112. These provisions incorporate by reference all other federal laws and regulations pertaining to the project or the activity for which the funds are obligated. Solely for the purposes of emphasis, such applicable provisions include, but are not limited to, the requirements of Appendix A to 2 CFR Part 170—Award terms for Reporting subaward and executive compensation information, and 2 CFR 200, including for those funds for which such amount will be subawarded to a subrecipient, 2 CFR 200.331.3. Relative to the above designated project, the FHWA has authorized certain work to proceed as evidenced by the date entered opposite the specific item of work. For such authorized work, the federal funds obligated or advance-construction authorized, are not to exceed the amount shown herein. The balance of the estimated total project cost is an obligation of the State or other direct recipient. 4. Such authorization of Federal funds extends only to project costs incurred by the State, or other recipient, following Federal Highway Administration's authorization to proceed with the project.

**PROJECT TITLE:** Fayette - Construct the West Hickman Trail with low water crossings, ped bridge, bridge repair, drainage improvements, and tree clearing.  
**PROJECT DESCRIPTION:** Fayette - Construct the West Hickman Trail with low water crossings, ped bridge, bridge repair, drainage improvements, and tree clearing in Veterans Park.  
**DUNS#:** 188593644

CLASSIFICATION OF PHASE OF WORK TO BE PUT UNDER AGREEMENT			EFFECTIVE DATE OF AUTHORIZATION			
HIGHWAY PLANNING & RESEARCH						
PRELIMINARY ENGINEERING						
RIGHT-OF-WAY						
CONSTRUCTION			08/29/2018			
OTHER						

PROGRAM CODE	FAIN	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
Z400	213003350Z 400		\$770,164.00	80.00%	\$618,131.20	\$0.00
TOTAL			\$770,164.00		\$618,131.20	\$0.00

<b>ESTIMATED TOTAL COST:</b>	\$770,164.00
<b>TOTAL AUTHORIZED FOR PROJECT:</b>	\$618,131.20

**EXECUTIVE OFFICE OF THE COMMONWEALTH OF KENTUCKY**

AVAILABLE FUNDS CERTIFIED BY:	Selena Curry	DATE:	08/20/2018
APPROVED AND REQUESTED BY:	Erin Clouse	DATE:	08/22/2018
AGRMT/MODIFY REQUESTED BY:	Ronald Rigney	DATE:	08/22/2018

**FEDERAL HIGHWAY ADMINISTRATION**

PROJECT INFORMATION REVIEWED BY:	Keenan Clarke	DATE:	08/23/2018
APPROVAL RECOMMENDED BY:	Bernadette Dupont	DATE:	08/27/2018
APPROVED AND AUTHORIZED BY:	Steven Jacobs	DATE:	08/29/2018

**RECIPIENT REMARKS:** New Toll Credits total= \$2,000.00  
eMARS#- 9152801C;9152802C KYTC#- CM;432  
CFDA#- 20.205, Project End Date- 12/31/2021  
Obligate \$608,131.20 (Z400) funds for construction phase (match provided by LFUCG); and \$10,000.00 (Z400) funds for project oversight by state forces (toll credit match). LPA contract.  
The State agrees that as a condition to payment of Federal funds obligated, it accepts and will comply with the agreement provisions set forth in 23 CFR 630.112; and its signature constitutes the making of certifications.  
This agreement is subject to the following award terms: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>

**DIVISION REMARKS:**