

**AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
TOWN BRANCH TRAIL PHASE IV
TOWN BRANCH TRAIL PHASE V
TOWN BRANCH TRAIL PHASE VI
PO2-628-1500003706**

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 14, 2015.

WHEREAS, on May 14, 2015, the parties hereto entered into an agreement for the Town Branch Trail Crossing;
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 numbered PO2-628-1500003706 made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Recipient is hereby amended as outlined in Attachment A;
2. All other terms and conditions of 1500003706 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

Greg Thomas, Secretary
Transportation Cabinet

Date: _____

Date: _____

Lexington-Fayette Urban County Government:

Approved as to form & legality:

Attorney

Mayor

Date: _____

Date: _____

ATTACHMENT A

SCOPE OF WORK AND BUDGET SUMMARY

All federally-funded CMAQ projects are set up in phases (design, ROW, utilities, construction). No work can begin on any phase of a project until the KYTC Office of Local Program 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 expenditures 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 Office of Local Programs thirty (30) days before the project end date.

Town Branch Trail Phase IV

CM 3003 304-Federal Project Number

90157-Authorization

7-3708-SYP Item#

PE, environmental assessment, design engineering and ROW activities to construct 2,800 feet of shared use path from Bizzell Drive to Townley Shopping Center (New Circle Road) connect to Town Branch Trail Phase V in Lexington.

		Federal Funds (CMAQ)	Local Funds	Toll Credits	Total
Original MOA (May 14, 2015)	Design Phase Funding: LPA Program# 9015701D	\$106,000.00	-	\$21,200.00	\$106,000.00
	Design Phase Funding: Cabinet Program# 9015702D	\$2,000.00	-	\$400.00	\$2,000.00
Supplemental Agreement No. 1 (January 21, 2016)	Supplemental Agreement for time extension.				
Supplemental Agreement No. 2 (December 21, 2016)	Supplemental Agreement No. 2 extended the project end date to 12/31/19 and amended the scope of work and budget for Phase VI.				
Supplemental Agreement No. 3 (Current)	ROW Phase Funding: LPA Program # 9015701R	+\$75,000.00	-	+\$15,000.00	+\$75,000.00
	ROW Phase Funding: Cabinet Program # 9015702R	+\$5,000.00	-	+\$1,000.00	+\$5,000.00
Design Phase Total for LPA		\$106,000.00	-	21,200.00	106,000.00
Design Phase Total for Cabinet		\$2,000.00	-	\$400.00	\$2,000.00
ROW Phase Total for LPA		\$75,000.00	-	\$15,000.00	\$75,000.00
ROW Total for Cabinet		\$5,000.00	-	\$1,000.00	\$5,000.00

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.