

R-40-2014

**AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES**

This agreement made by and between the Lexington-Fayette Urban County Government (hereinafter called "CITY"), and Norfolk Southern Railway Company, (hereinafter called "COMPANY").

The CITY will submit plans and specifications to said COMPANY for work which will involve or affect COMPANY facilities at the following location:

Town, County, State: Lexington, Fayette Co., KY  
AAR-DOT#: 724529W  
Street /Bridge Name: Southland Dive S.R. 913  
Description: Proposed concrete side walk underneath NS bridge. Mile Post 83.45 CNOTP

Preliminary Engineering Cost Estimate: \$10,000

Therefore, in consideration of the benefits moving to each of the parties hereto, they do mutually agree as follows:

**ARTICLE 1. REIMBURSEMENT.** The CITY agrees to reimburse the COMPANY for actual cost of preliminary engineering necessary in connection with the project.

The COMPANY shall submit to the CITY fair and reasonable costs of the aforesaid work performed as evidenced by detailed invoices acceptable to the CITY. The CITY shall reimburse the COMPANY in the amount of the approved costs so submitted.

**ARTICLE 2. EFFECTIVE DATE OF AGREEMENT.** This agreement shall take effect at the time it is approved and signed by both the CITY and the COMPANY.

**ARTICLE 3. STARTING OF WORK.** This agreement covers preliminary engineering services performed starting September 01, 2013. The COMPANY agrees to provide preliminary engineering services at the request of CITY or its agent, whether written or verbal.

IN WITNESS WHEREOF, the CITY and the COMPANY have caused these presents to be signed by their duly authorized officers:

CITY  
Signature: *Jim Gray*  
Name: JIM GRAY  
Title: Mayor  
Date: 2.20.14

COMPANY  
Signature: *J.N. Carter, Jr.*  
Name: J. N. CARTER, JR.  
Title: Chief Engineer Bridges & Structures  
Date: 02/04/14