

**AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
TOWN BRANCH COMMONS CORRIDOR-VINE STREET AND TRANSIT CENTER (ZONE 2)
SC-628-1600003719
SYP ITEM # 07-03207.00**

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 24, 2016.

WHEREAS, on June 24, 2016, the parties hereto entered into an agreement for the Town Branch Commons Corridor-Vine Street and Transit Center 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 Scope of Work and Budget of Agreement numbered SC-628-1600003719 made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the Recipient, are hereby modified as outlined on Attachment A;
2. All other terms and conditions of SC-628-1600003719 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 AND BUDGET SUMMARY

Scope of Work:

The scope of work for this project includes PE, design, environmental and construction of bike/ped facilities, pedestrian crossings and other pedestrian improvements at LEXTRAN Central Transit Center on Vine Street between Quality Street and Limestone.

This supplemental agreement modifies the scope of work and budget to include dedicated STP (SLX) funding in the amount of \$500,000 to cover an increase in construction costs.

Budget:

| | | Federal Funds (TAP) | Federal Funds (SLX) | Local Funds | Toll Credits | Total |
|---|---|------------------------|------------------------|---------------------|--------------------|-----------------------|
| ORIGINAL MOA (June 24, 2016) | Design Phase Funding: LFUCG Program# 9148801D | \$234,796.00 | - | \$58,699.00 | - | \$293,495.00 |
| | Design Phase Funding: Cabinet Program# 9148802D | \$10,000.00 | - | - | \$2,000.00 | \$10,000.00 |
| SUPPLEMENTAL AGREEMENT NO. 1 (CURRENT) | Construction Phase Funding: LFUCG Program# 9148801C | +\$2,495,418.00 | - | +\$623,854.50 | - | +\$3,119,272.50 |
| | Construction Phase Funding: Cabinet Program# 9148802C | +\$249,542.80 | - | - | +\$49,908.56 | +\$249,542.80 |
| SUPPLEMENTAL AGREEMENT NO. 2 (CURRENT) | Construction Phase Funding: LFUCG Program# 9148802C | - | +\$500,000.00 | +\$125,000.00 | - | +\$615,000.00 |
| Design Phase Total for LFUCG | | \$234,796.00 | - | \$58,699.00 | - | \$293,495.00 |
| Design Phase Total for Cabinet | | \$10,000.00 | - | - | \$2,000.00 | \$10,000.00 |
| Construction Phase Total for LFUCG | | \$2,495,418.00 | \$500,000.00 | \$748,854.50 | - | \$3,744,272.50 |
| Construction Phase Total for Cabinet | | \$249,542.80 | - | - | \$49,908.56 | \$249,542.80 |

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.