

**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  
SC-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

\_\_\_\_\_  
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

Town Branch Trail Phase V

CM 3003 305-Federal Project Number 90158-Authorization

7-3709-SYP Item #

Construct 1.5 miles of shared use path connecting between Town Branch Trail Phase III, Town Branch Trail Phase VI, and Townley Center.

The supplemental agreement alters the scope of Phase V to include Phase IV utilities and future construction under the phase V project and obligates \$810,000 for utilities for the combined project. All remaining funds awarded to the Phase IV project will be available to the new Phase V combined project. The original Design and ROW activities will remain under the original Phase IV project.

Total Federal Funds Allocated to Project:	\$5,992,803.38	
Phase of Work	Federal Funds	Match Provided (Toll Credits)
Design ( <i>Programmed with FHWA</i> )	\$742,000.00	\$149,200.00
Right-of-Way ( <i>Programmed with FHWA</i> )	\$50,000.00	\$10,000.00
Utilities ( <i>Programmed with FHWA</i> )	\$810,000.00	\$162,000.00
Remaining Available Balance to Be Obligated (Phase V)	\$3,468,198.00	\$693,639.60
Remaining Available Balance to Be Obligated (Transfer from Phase IV)	\$901,803.38	\$180,360.68

#### **Town Branch Trail Phase VI-This project remains unchanged by this agreement.**

CM 3003 306-Federal Project Number 90159-Authorization

7-3710-SYP Item #

PE, environmental assessment, and design engineering to construct 1.5 miles of shared use path from McConnell Springs Park to Oliver Lewis Way in Lexington.

*The total award for this project contract is for design only.*

Total Federal Funds Allocated to Project:	\$430,000.00-CMAQ \$616,000-TAP	
Phase of Work	Federal Funds	Match Provided
Design-CMAQ ( <i>Programmed with FHWA</i> )	\$430,000.00	\$86,800.00 (toll credits)
Design-TAP ( <i>Programmed with FHWA</i> )	\$616,000.00	\$261,500.00 (local funds)

*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.*

**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.