

**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:

DocuSigned by:
Todd Slipp
668A3E7A8264EE

Attorney
Transportation Cabinet
7/26/2021
Date: _____

Commonwealth of Kentucky




Jim Gray, Secretary
Transportation Cabinet
Date: 7/27/2021

Lexington-Fayette Urban County Government:
Approved as to form & legality:

Attorney

Date: _____



Mayor

Date: 7/9/2021

ATTACHMENT A
SCOPE OF WORK AND BUDGET SUMMARY

Scope of Work**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.

Total Federal Funds Allocated for Project:	\$1,010,000.00	
Phase of Work	Federal Funds	Match Provided (Toll Credits)
Design (<i>Closed-total is actual expenditures reimbursed to LPA</i>)	\$76,426.62	\$21,600.00
Right-of-Way (<i>Programmed with FHWA</i>)	\$75,000.00	\$32,300.00
<i>Remaining Available Balance to Be Obligated</i>	<i>\$858,573.38</i>	<i>\$171,714.68</i>

Town Branch Trail Phase V

CM 3003 305-Federal Project Number

90158-Authorization

7-3709-SYP Item #

PE, environmental assessment, design engineering and ROW activities to construct 1 mile of shared use path from New Circle Road (connect to Town Branch Trail Phase IV) to McConnell Springs Park in Lexington.

This supplemental agreement adds \$50,000 for Right-of-Way activities for the Town Branch Trail Phase V.

Total Federal Funds Allocated for Project:	\$5,091,000.00	
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
<i>Remaining Available Balance to Be Obligated</i>	<i>\$4,299,000.00</i>	<i>\$859,800.00</i>

Town Branch Trail Phase VI

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 for 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)

**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.

RESOLUTION NO. 419 -2021

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE AMENDMENT NO. 4 TO AN AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET IN ORDER TO ACCEPT ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$50,000.00 FOR THE RIGHT-OF-WAY PHASE OF THE TOWN BRANCH TRAIL PROJECT, PHASE V, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT TO THE EXPENDITURE OF \$10,000.00 AS A LOCAL MATCH, TO BE PROVIDED BY THE KENTUCKY TRANSPORTATION CABINET THROUGH TOLL CREDITS, AND AUTHORIZING THE MAYOR TO TRANSFER UNENCUMBERED FUNDS WITHIN THE GRANT BUDGET.

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 and directed to execute Amendment No. 4 to an Agreement with the Kentucky Transportation Cabinet, which is attached hereto and incorporated herein by reference, in order to accept additional federal funds in the amount of \$50,000.00 for the right-of-way phase of the Town Branch Trail Project, Phase V, the acceptance of which obligates the Lexington-Fayette Urban County Government to the expenditure of \$10,000.00 as a local match, to be provided by the Kentucky Transportation Cabinet through toll credits.

Section 2 - That subject to the provisions of Ordinance No. 22-79, the Mayor is hereby authorized, in her discretion as Chief Executive Officer of the Urban County Government, to transfer the unencumbered balance of any operating or capital account appropriation to another operating or capital account appropriation within the Grant budget.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: July 8, 2021

Lynda Gordon

MAYOR

ATTEST:

[Signature]
CLERK OF URBAN COUNTY COUNCIL
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