

**AMENDMENT TO THE AGREEMENT BETWEEN  
KENTUCKY TRANSPORTATION CABINET  
AND THE  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
(DUNS: 020428777)  
ARMSTRONG MILL ROAD SIDEWALKS  
PO2-628-1700004143  
SYP ITEM # 07-03213.00**

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 May 17, 2017.

WHEREAS, on May 17, 2017, the parties hereto entered into an agreement for the Armstrong Mill Road Sidewalks; 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 of Agreement numbered SC-628-1700004143 is hereby modified as show on Attachment A;
2. All other terms and conditions of SC-628-1700004143 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:

Attorney  
Transportation Cabinet

Date: 12/13/19

Commonwealth of Kentucky

Secretary  
Transportation Cabinet

Date: 12/20/19

**Lexington-Fayette Urban County Government:**

Approved as to form & legality:

Attorney

Date: 12/8/19

Mayor

Date: 12/6/19

**ATTACHMENT A  
 SCOPE OF WORK AND BUDGET**

**Scope of Work:**

The scope of work for this project includes PE, environmental, design engineering and Right-of-Way activities for new sidewalks along both sides of Armstrong Mill Road from Tates Creek Road to just beyond Greentree Road, where prefabricated pedestrian structures will be constructed to cross a culvert. The project also includes stormwater drainage, curb inlets, piping, manholes and headwalls.

**Budget:**

		Federal Funds (TAP)	Federal Funds (CMAQ)	Local Funds	Toll Credits	Total
ORIGINAL MOA (May 17, 2017)	Design Phase Funding: LFUCG Program# 9237001D	\$64,000.00	-	\$16,000.00	-	\$80,000.00
ORIGINAL MOA (May 17, 2017)	Design Phase Funding: Cabinet Program# 9237002D	\$5,000.00	-	-	\$1,000.00	\$5,000.00
SUPPLEMENTAL AGREEMENT NO. 1 (March 1, 2018)	Design Phase Funding: LFUCG Program# 9237003D	-	\$40,000.00	\$10,000.00	-	\$50,000.00
	Design Phase Funding: Cabinet Program# 9237004D	-	\$4,000.00	-	\$400.00	\$4,000.00
SUPPLEMENTAL AGREEMENT NO. 2 (April 16, 2019)	Design Phase Funding: LFUCG Program# 9237003D	-	-\$40,000.00	-\$10,000.00	-	-\$50,000.00
	Design Phase Funding: Cabinet Program# 9237004D	-	-\$4,000.00	-	-\$400.00	-\$4,000.00
	Design Phase Funding: LFUCG Program# 9237001D	-	+\$89,600.00	+\$22,400.00	-	+\$112,000.00
	Design Phase Funding: Cabinet Program# 9237002D	-	+\$4,000.00	-	+\$400.00	+\$4,000.00
SUPPLEMENTAL AGREEMENT NO. 3 (Current)	R/W Phase Funding: LFUCG Program# 9237001R	-	+\$11,200.00	+\$2,800.00	-	+\$14,000.00
	R/W Phase Funding: Cabinet Program# 9237002R	-	+\$1,000.00	-	+\$200.00	+\$1,000.00

LFUCG  
 ARMSTRONG MILL SIDEWALKS  
 TAP/CMAQ  
 07-03213.00  
 SUPPLEMENTAL # 3  
 SC-628-1700004143

<b>Design Phase Total for LFUCG</b>	<b>\$64,000.00</b>	<b>\$89,600.00</b>	<b>\$38,400.00</b>	<b>-</b>	<b>\$192,000.00</b>
<b>Design Phase Total for Cabinet</b>	<b>\$5,000.00</b>	<b>\$4,000.00</b>	<b>-</b>	<b>\$1,400.00</b>	<b>\$9,000.00</b>
<b>R/W Phase Total for LFUCG</b>	<b>-</b>	<b>+\$11,200.00</b>	<b>+\$2,800.00</b>	<b>-</b>	<b>+\$14,000.00</b>
<b>R/W Phase Total for Cabinet</b>	<b>-</b>	<b>+\$1,000.00</b>	<b>-</b>	<b>+\$200.00</b>	<b>+\$1,000.00</b>

**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. 711 -2019

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 3 WITH THE KENTUCKY TRANSPORTATION CABINET, FOR THE ACCEPTANCE OF ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$11,200.00 FOR THE ARMSTRONG MILL ROAD SIDEWALKS PROJECT RIGHT OF WAY PHASE, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT FOR THE EXPENDITURE OF \$2,800.00 AS A LOCAL MATCH.

~~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 Supplemental Agreement No. 3, which is attached hereto and incorporated herein by reference, with the Kentucky Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$11,200.00 for the Armstrong Mill Road Sidewalks Project Right of Way Phase, the acceptance of which obligates the Urban County Government for the expenditure of \$2,800.00 as a local match.

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: December 5, 2019

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CLERK OF URBAN COUNTY COUNCIL

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Run Date: 11/04/2019  
Run Time: 09:18:13

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
FEDERAL-AID PROJECT MODIFICATION

Report: FMISD06A  
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RECIPIENT: 21-Kentucky FEDERAL PROJECT NO: 4003012 NO: 2

RECIPIENT PROJ. NO(S): 07-03213.00

PROJECT TITLE: Fayette - ROW activities for Armstrong Mill Sidewalks  
PROJECT DESCRIPTION: ROW activities for sidewalks along the north and south sides of Armstrong Mill Road between Tates Creek Road and Greentree Road, then on to the intersection of Armstrong Mill side roads.

CLASSIFICATION OF PHASE OF WORK: ROW

THE PROJECT AGREEMENT FOR THE ABOVE REFERENCED PROJECT ENTERED INTO BETWEEN THE UNDERSIGNED PARTIES AND EXECUTED BY THE DIVISION ADMINISTRATOR ON 09/26/2016 IS HEREBY MODIFIED AS FOLLOWS:

PROGRAM CODE	FAIN	URBAN / WITH		FORMER AMOUNT	REVISED AMOUNT
M301	214003012M301	144	ESTIMATED TOTAL OF THE PROJECT	\$85,000.00	\$85,000.00
			FEDERAL FUNDS	\$69,000.00	\$69,000.00
			ADV CONSTRUCTION FUNDS	\$0.00	\$0.00
			PERCENT FEDERAL SHARE	80%	80%
Z400	693JJ21930000Z400KY4003012		ESTIMATED TOTAL OF THE PROJECT	\$116,000.00	\$131,000.00
			FEDERAL FUNDS	\$93,600.00	\$105,800.00
			ADV CONSTRUCTION FUNDS	\$0.00	\$0.00
			PERCENT FEDERAL SHARE	80%	80%

RECIPIENT REMARKS:

Mod#2 Toll Credits total= \$2,000.00  
eMARS#- 9237001D;9237002D;9237001R;9237002R KYTC#- TAP;63  
CFDA#- 20.205, Project End Date- 12/31/2021  
Obligate \$11,200.00 (Z400) for the ROW phase and LFUCG will provide the matching funds. Obligate \$1,000.00 (Z400) for project oversight by state forces (toll credit match). LPA contract.  
The State agrees that as a condition to payment of Federal funds obligated, it accepts and will comply with the agreement provisions set forth in 23 CFR.630.112; and its signature constitutes the making of certifications.  
This agreement is subject to the following award terms: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>

DIVISION REMARKS:

ALL OTHER TERMS AND CONDITIONS OF THE PROJECT AGREEMENT WILL REMAIN IN FULL FORCE AND EFFECT.

EXECUTIVE OFFICE OF THE COMMONWEALTH OF KENTUCKY

AVAILABLE FUNDS CERTIFIED BY: Selena Curry DATE: 10/10/2019  
APPROVAL RECOMMENDED BY: Erin Clouse DATE: 10/16/2019  
APPROVED AND AUTHORIZED BY: Ronald Rigney DATE: 10/22/2019

FEDERAL HIGHWAY ADMINISTRATION

APPROVAL RECOMMENDED BY: Thava Overstreet DATE: 10/22/2019  
APPROVED AND AUTHORIZED BY: Thava Overstreet DATE: 10/22/2019  
MODIFICATION APPROVED BY: Keenan Clarke DATE: 10/22/2019