

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

copy in lieu of original

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 PO2-628-1700004143 is hereby modified as show on Attachment A;
2. All other terms and conditions of PO2-628-1700004143 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: 2/16/18

Commonwealth of Kentucky



Greg Thomas, Secretary
Transportation Cabinet

Date: 3/1/18

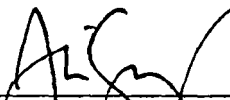
Lexington-Fayette Urban County Government:

Approved as to form & legality:



Attorney

Date: 2.9.18



Mayor

Date: 2/13/18

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**ATTACHMENT A
 SCOPE OF WORK AND BUDGET**

Scope of Work:

The scope of work for this project includes PE, environmental, and design engineering 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 (CURRENT)	Design Phase Funding: LFUCG Program# 9237003D	-	\$40,000.00	\$10,000.00	-	\$50,000.00
SUPPLEMENTAL AGREEMENT NO. 1 (CURRENT)	Design Phase Funding: Cabinet Program# 9237004D	-	\$4,000.00	-	\$400.00	\$4,000.00
Design Phase Total for LFUCG		\$64,000.00	\$40,000.00	\$26,000.00	-	\$130,000.00
Design Phase Total for Cabinet		\$5,000.00	\$4,000.00	-	\$1,400.00	\$9,000.00

RESOLUTION NO. 95 -2018

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 WITH THE KENTUCKY TRANSPORTATION CABINET, FOR THE ACCEPTANCE OF ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$40,000.00 FOR THE ARMSTRONG MILL ROAD SIDEWALKS PROJECT, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT FOR THE EXPENDITURE OF \$10,000.00 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 to execute Supplemental Agreement No. 1, 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 \$40,000.00 for the Armstrong Mill Road Sidewalks Project, the acceptance of which obligates the Urban County Government for the expenditure of \$10,000.00 as a local match.

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

PASSED URBAN COUNTY COUNCIL: February 8, 2018


MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL
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**ATTACHMENT C
 PERSON IN RESPONSIBLE CHARGE**

Upon federal-aid project delegation to the RECIPIENT by the CABINET, the undersigned hereby certifies the following, to the best of his or her knowledge and belief, on behalf of the RECIPIENT:

1. Pursuant to 23 CFR 635.105(c) (4), the RECIPIENT acting as a subrecipient of federal transportation funds must provide an employee of that agency, who is available full time, to be in responsible charge of the PROJECT. The individual in responsible charge of the PROJECT is held accountable for ensuring that all applicable Federal and State regulations are followed on the PROJECT. This person will have the authority and resources to manage the PROJECT and will be the primary point of contact with the CABINET. This person may be the project engineer provided that the project engineer is a full-time employee of the RECIPIENT. If the project engineer is a consultant, the person in responsible charge must be a full-time employee of the RECIPIENT.
2. The undersigned and the designated RECIPIENT's person in responsible charge of this PROJECT has read and understands the contract administration and inspection responsibilities described in the CABINET's *Federal-Aid Highway Program Project Development Guide for Local Public Agencies (LPA Guide)*.
3. The undersigned will carry out this PROJECT in accordance with the applicable Federal and State laws and associated regulations identified in the LPA Guide.
4. The undersigned will enforce compliance with the above-mentioned laws, regulations, policies, and guidelines by its consultants, contractors, and subcontractors.
5. The undersigned certifies the designated person in responsible charge will:
 - Have the ability to visit the PROJECT or attend meetings related to the PROJECT as needed.
 - Be responsible for ensuring that the PROJECT is delivered on time in accordance with established milestones and the terms of the contract between the RECIPIENT and the CABINET.
6. In accordance with the requirements outlined above, RECIPIENT has selected the following individual as the person in responsible charge for the PROJECT:

Name: <u>Thomas Clements</u>	Position with RECIPIENT: <u>Senior Municipal Engineer</u>
E-mail: <u>tclements@lexingtonky.gov</u>	Phone: <u>859-258-3441</u>
Signature: <u>[Handwritten Signature]</u>	

7. Should the RECIPIENT require a change to the Person in Responsible Charge, they will notify the CABINET, designate a new Person in Responsible Charge, and resubmit the Attachment C within 7 days of the change. The new Attachment C will be incorporated into this Agreement upon approval by the CABINET.

[Handwritten Signature] 2/13/18
 Mayor/CJE Date

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