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AMENDMENT TO THE AGREEMENT BETWEEN  
KENTUCKY TRANSPORTATION CABINET  
AND THE  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
TOWN BRANCH TRAIL COMMONS-MIDLAND SECTION  
PO2-628-1600005544  
SYP ITEM # 07-03714.00

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 29, 2016.

WHEREAS, on June 29, 2016, the parties hereto entered into an agreement for the Town Branch Trail Commons-Midland Section 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 PO2-628-1600005544 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 PO2-628-1600005544 shall remain in effect.

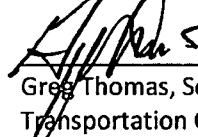
IN WITNESS WHEREOF, the parties have hereto caused these presents to be executed by their officers thereunto duly authorized:

**Kentucky Transportation Cabinet:**  
Approved as to form & legality:

  
\_\_\_\_\_  
Attorney  
Transportation Cabinet

Date: 5/24/18

Commonwealth of Kentucky

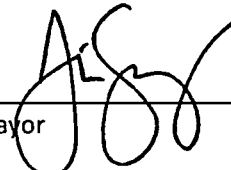
  
\_\_\_\_\_  
Greg Thomas, Secretary  
Transportation Cabinet

Date: 5/21/18

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

  
\_\_\_\_\_  
Attorney

Date: 5/4/18

  
\_\_\_\_\_  
Mayor

Date: 5/8/18

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BY: \_\_\_\_\_

**ATTACHMENT A  
SCOPE OF WORK AND BUDGET SUMMARY**

**Scope of Work:**

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. 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.

The scope of work for this project includes PE, environmental, design engineering, right-of-way and utilities for bike/ped facilities from main Street/Midland Avenue to Third Street at Legacy Trail.

This project has been allocated up to \$3,200,000 (including contingency) in federal funds for completion.

**Budget:**

|   |  | Federal<br>Funds<br>(CMAQ) | Local Funds         | Toll Credits       | Total               |
|---|--|----------------------------|---------------------|--------------------|---------------------|
| Original MOA<br>(June 29, 2016)                   | Design Phase<br>Funding: LFUCG<br>Program# 9152901D      | \$320,000.00               | \$80,000.00         | -                  | \$400,000.00        |
|   | Design Phase<br>Funding: Cabinet<br>Program# 9152902D    | \$5,000.00                 | -                   | \$1,000.00         | \$5,000.00          |
| Supplemental<br>Agreement No. 1<br>(May 17, 2017) | <b>Time extension only. No funding changes made.</b>     |                            |                     |                    |                     |
| Supplemental<br>Agreement No. 2<br>(CURRENT)      | ROW Phase<br>Funding: LFUCG<br>Program# 9152901R         | \$708,940.00               | \$177,235.00        | -                  | \$886,175.00        |
|   | ROW Phase<br>Funding: Cabinet<br>Program# 9152902R       | \$70,894.00                | -                   | \$14,178.80        | \$70,894.00         |
|   | Utilities Phase<br>Funding: LFUCG<br>Program# 9152901U   | \$280,000.00               | \$70,000.00         | -                  | \$350,000.00        |
|   | Utilities Phase<br>Funding: Cabinet<br>Program# 9152902U | \$28,000.00                | -                   | \$2,800.00         | \$28,000.00         |
| <b>Design Phase Total for LFUCG</b>               |  | <b>\$320,000.00</b>        | <b>\$80,000.00</b>  |                    | <b>\$400,000.00</b> |
| <b>Design Phase Total for Cabinet</b>             |  | <b>\$5,000.00</b>          |                     | <b>\$1,000.00</b>  | <b>\$5,000.00</b>   |
| <b>ROW Phase Total for LFUCG</b>                  |  | <b>\$708,940.00</b>        | <b>\$177,235.00</b> |                    | <b>\$886,175.00</b> |
| <b>ROW Phase Total for Cabinet</b>                |  | <b>\$70,894.00</b>         |                     | <b>\$14,178.80</b> | <b>\$70,894.00</b>  |
| <b>Utilities Phase Total for LFUCG</b>            |  | <b>\$280,000.00</b>        | <b>\$70,000.00</b>  |                    | <b>\$350,000.00</b> |
| <b>Utilities Phase Total for Cabinet</b>          |  | <b>\$28,000.00</b>         |                     | <b>\$2,800.00</b>  | <b>\$28,000.00</b>  |