

**AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET
AND THE
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (DUNS # 020428777)
WILSON DOWNING SIDEWALKS/ ITEM NO. 07-03216.00 (SIDEWALK) & 07-03216.10 (BRIDGE)
SC-628-1700004178**

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 Wilson Downing Sidewalks 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 Budget and Scope of Work of Agreement numbered SC-628-1700004178 is hereby modified as show on Attachment A;
2. All other terms and conditions of SC-628-1700004178 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

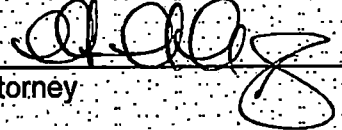


Secretary
Transportation Cabinet

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 of this project includes PE, environmental, design and Right-of-Way activities for approximately 6,000 feet of sidewalk to connect various sections of sidewalk along Wilson Downing Road and the replacement of a deteriorated westbound lane bridge section of Wilson Downing Road Bridge across West Hickman Creek.

Budget:

		Federal Funds (CMAQ)	Federal Funds (SLX)	Local Funds		Total
Original MOA May 17, 2017	Design Phase Funding: LFUCG Program# 9237101D	\$80,000.00	-	\$20,000.00	-	\$100,000.00
	Design Phase Funding: Cabinet Program# 9237102D	\$5,000.00	-	-	\$1,000.00	\$5,000.00
Supplemental Agreement No. 1 (March 14, 2018)	Design Phase Funding: LPA Program# 9381103D	-	\$55,000.00	\$13,750.00	-	\$68,750.00
	Design Phase Funding: Cabinet Program# 9381104D	-	\$5,000.00	-	\$500.00	\$5,000.00
Supplemental Agreement No. 2 (Current)	R/W Phase Funding: LPA Program# 9237101R	+\$8,000.00	-	+\$2,000.00	-	+\$10,000.00
	R/W Phase Funding: Cabinet Program# 9237102R	+\$1,000.00	-	-	+\$200.00	+\$1,000.00
Design Phase Total for LPA		\$80,000.00	\$55,000.00	\$33,750.00	-	\$168,750.00
Design Phase Total for Cabinet		\$5,000.00	\$5,000.00	-	\$1,500.00	\$10,000.00
R/W Phase Total for LPA		\$8,000.00	-	\$2,000.00	-	\$10,000.00
R/W Phase Total for Cabinet		\$1,000.00	-	-	\$200.00	\$1,000.00

**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.

**ATTACHMENT C
PERSON IN RESPONSIBLE CHARGE**

If the Person in Responsible Charge has changed since the execution of the original MOA, please attach a new form as Attachment C.

The form can be accessed at: <https://transportation.ky.gov/Program-Management/Documents/LPA1%20-%20Attach%203%20-%20Person%20in%20Responsible%20Charge%20Form.docx>.

If a new form is unnecessary, no Attachment C will be required with this Supplemental Agreement.

RESOLUTION NO. 714 -2019

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 2 WITH THE KENTUCKY TRANSPORTATION CABINET, FOR THE ACCEPTANCE OF ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$8,000.00 FOR THE RIGHT OF WAY PHASE OF THE WILSON DOWNING SIDEWALK PROJECT, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT FOR THE EXPENDITURE OF \$2,000.00 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 and directed to execute Supplemental Agreement No. 2, 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 \$8,000.00 for the Right of Way Phase of the Wilson Downing Sidewalk Project, the acceptance of which obligates the Urban County Government for the expenditure of \$2,000.00 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: 11/26/2019
 Run Time: 12:38:35

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

Report: FMISD06A
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RECIPIENT: 21-Kentucky **FEDERAL PROJECT NO:** 4003013 **NO:** 2
RECIPIENT PROJ. NO(S): 07-03216.00
PROJECT TITLE: Fayette - Wilson Downing Sidewalks
PROJECT DESCRIPTION: Construct approximately 6,000 feet of sidewalk to connect various sections of sidewalk along Wilson Downing Road, providing continuity.

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	214003013M301	144	ESTIMATED TOTAL OF THE PROJECT	\$5,000.00	\$5,000.00
			FEDERAL FUNDS	\$5,000.00	\$5,000.00
			ADV CONSTRUCTION FUNDS	\$0.00	\$0.00
			PERCENT FEDERAL SHARE	80%	80%
M3E1	214003013M3E1	144	ESTIMATED TOTAL OF THE PROJECT	\$100,000.00	\$100,000.00
			FEDERAL FUNDS	\$80,000.00	\$80,000.00
			ADV CONSTRUCTION FUNDS	\$0.00	\$0.00
			PERCENT FEDERAL SHARE	80%	80%
M400	693JJ22030000M400KY4003013		ESTIMATED TOTAL OF THE PROJECT	\$0.00	\$11,000.00
			FEDERAL FUNDS	\$0.00	\$9,000.00
			ADV CONSTRUCTION FUNDS	\$0.00	\$0.00
			PERCENT FEDERAL SHARE	0%	80%

RECIPIENT REMARKS:

Mod#2 Toll Credits total= \$1,200.00
 eMARS#- 9237101D;9237102D;9237101R;9237102R
 CFDA#- 20.205, Project End Date- 12/31/2021
 Obligate \$8,000.00 of M400 funds for the right of way phase and \$1,000.00 of M400 funds for project oversight by state forces (toll credit match). Extend end date to complete R/W phase.
 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: 11/19/2019
 APPROVAL RECOMMENDED BY: Erin Clouse DATE: 11/20/2019
 APPROVED AND AUTHORIZED BY: Ronald Rigney DATE: 11/22/2019

FEDERAL HIGHWAY ADMINISTRATION

APPROVAL RECOMMENDED BY: Thava Overstreet DATE: 11/22/2019
 APPROVED AND AUTHORIZED BY: Thava Overstreet DATE: 11/22/2019
 MODIFICATION APPROVED BY: Keenan Clarke DATE: 11/26/2019