

AMENDMENT TO THE AGREEMENT BETWEEN  
KENTUCKY TRANSPORTATION CABINET  
AND THE  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
DUNS: 020428777  
OXFORD CIRCLE SIDEWALKS  
SC-628-1700004160  
SYP ITEM # 07-03220.00/ AUTHORIZATION NUMBER: 92366

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 Oxford Circle 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 and Scope of Work of Agreement numbered PSC-628-1700004160 is hereby modified as show on Attachment A;
2. All other terms and conditions of SC-628-1700004160 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:

Commonwealth of Kentucky

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

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

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Lexington-Fayette Urban County Government:**

Approved as to form & legality:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT A  
SCOPE OF WORK AND BUDGET**

**Scope of Work:**

This supplemental agreement adds federal CMAQ funds for the Right-of-Way phase of this project. The project end date for this phase is December 31, 2019.

**Budget:**

		Federal Funds (TAP)	Federal Funds (CMAQ)	Local Funds	Toll Credits	Total
<b>Original MOA (May 17, 2017)</b>	Design Phase Funding: LPA Program# 9236601D	\$20,000.00	-	\$5,000.00	-	\$25,000.00
	Design Phase Funding: Cabinet Program# 9236602D	\$2,000.00	-	-	\$400.00	\$2,000.00
<b>Supplemental Agreement No. 1 (October 22, 2018)</b>	R/W Phase Funding: LPA Program# 9236601R	-	+\$5,760.00	+\$1,440.00	-	+\$7,200.00
	R/W Phase Funding: Cabinet Program# 9236602R	-	+\$1,000.00	-	\$200.00	+\$1,000.00
<b>Supplemental Agreement No. 2 (Current)</b>	Construction Phase Funding: LPA Program# 9236601C	-	\$60,796.60	\$15,199.15	-	\$75,995.75
	Construction Phase Funding: Cabinet Program# 9236602C	-	\$6,080.00	-	\$1,216.00	\$6,080.00
	R/W Phase Funding: LPA Program# 9236601R	-	-\$3,181.60	-\$795.40	-	-\$3,977.00
<b>Design Phase Total for LPA</b>		<b>\$20,000.00</b>	<b>-</b>	<b>\$5,000.00</b>	<b>-</b>	<b>\$25,000.00</b>
<b>Design Phase Total for Cabinet</b>		<b>\$2,000.00</b>	<b>-</b>	<b>-</b>	<b>\$400.00</b>	<b>\$2,000.00</b>
<b>R/W Phase Total for LPA</b>		<b>-</b>	<b>\$2,578.40</b>	<b>\$644.60</b>	<b>-</b>	<b>\$3,223.00</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>
<b>Construction Phase total for LPA</b>		<b>-</b>	<b>\$60,796.60</b>	<b>\$15,199.15</b>	<b>-</b>	<b>\$75,995.75</b>
<b>Construction Phase Total for Cabinet</b>		<b>-</b>	<b>\$6,080.00</b>	<b>-</b>	<b>\$1,216.00</b>	<b>\$6,080.00</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.

**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:	Position with RECIPIENT:
E-mail:	Phone:
Signature:	

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.

\_\_\_\_\_  
Mayor/CJE

\_\_\_\_\_  
Date