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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:

Attorney
Transportation Cabinet

Date: 10/9/18

Commonwealth of Kentucky

Greg Thomas, Secretary
Transportation Cabinet

Date: 10/22/18

Lexington-Fayette Urban County Government:

Approved as to form & legality:

Attorney

Date: 9-28-18

Mayor

Date: 10/1/18

RECEIVED
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BY:

**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
Original MOA (May 17, 2017)	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
Supplemental Agreement No. 1 (Current)	R/W Phase Funding: LPA Program#	-	+\$5,760.00	+\$1,440.00	-	+\$7,200.00
	R/W Phase Funding: Cabinet Program#	-	+\$1,000.00	-	\$200.00	+\$1,000.00
Design Phase Total for LPA		\$20,000.00	-	\$5,000.00	-	\$25,000.00
Design Phase Total for Cabinet		\$2,000.00	-	-	\$400.00	\$2,000.00
R/W Phase Total for LPA		-	\$5,760.00	\$1,440.00	-	\$7,200.00
R/W Phase Total for Cabinet		-	\$1,000.00	-	\$200.00	\$1,000.00

Estimated Future Phases:

		Federal Funds (TAP)	Federal Funds (CMAQ)	Local Funds	Toll Credits	Total
Estimated	Utilities- LPA	-	-	-	-	-
	Utilities- KYTC	-	-	-	-	-
	Construction- LPA	-	\$57,615.00	\$14,403.75	-	\$72,018.75
	Construction- KYTC	-	\$5,761.00	-	\$576.10	\$5,761.00
	Total-LPA	-	\$57,615.00	\$14,403.75	-	\$72,018.75
	Total-KYTC	-	\$5,761.00	-	\$576.10	\$5,761.00

RESOLUTION NO. 582 -2018

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE SUPPLEMENTAL AGREEMENT NO. ONE (1) WITH THE KENTUCKY TRANSPORTATION CABINET, FOR THE ACCEPTANCE OF ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$5,760.00 FOR THE RIGHT-OF-WAY PHASE FOR THE OXFORD CIRCLE SIDEWALKS PROJECT, THE ACCEPTANCE OF WHICH OBLIGATES THE URBAN COUNTY GOVERNMENT FOR THE EXPENDITURE OF \$1,440.00 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. One (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 \$5,760.00 for the Right-of-Way Phase for the Oxford Circle Sidewalks Project, the acceptance of which obligates the Urban County Government for the expenditure of \$1,440.00 as a local match.

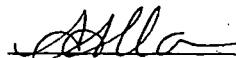
Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: September 27, 2018

MAYOR

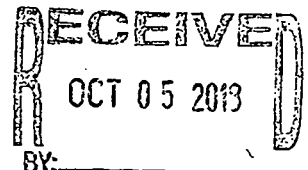


ATTEST:



CLERK OF URBAN COUNTY COUNCIL

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**ATTACHMENT C
PERSON IN RESPONSIBLE CHARGE**

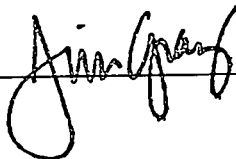
Upon federal-aid project delegation to the RECIPIENT by the CABINET, the undersigned hereby certifies the following, to the best of his or her knowledge and belief, on behalf of the RECIPIENT:

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: Thomas Clements	Position with RECIPIENT: Senior Municipal Engineer
E-mail: tclements@lexingtonky.gov	Phone: 859-258-3441
Signature: 	

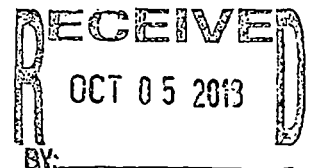
7. Should the RECIPIENT require a change to the Person in Responsible Charge, they will notify the CABINET, designate a new Person in Responsible Charge, and resubmit this form within 7 days of the change.

Mayor



Date

10/11/18



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

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RECIPIENT: 21-Kentucky

FEDERAL PROJECT NO: 3003349

RECIPIENT PROJ. NO(S): 07-03220.00

1. The State through its department of transportation, or other recipient, has complied, or hereby agrees to comply, with the applicable terms and conditions set forth in (a) Title 23, U.S. Code, highways; (b) The regulations issued pursuant thereto, and the policies and procedures promulgated by the Federal Highway Administration; and (c) All other applicable federal laws and regulations. 2. The State, or other recipient, stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the provisions set forth in 23 CFR 630.112. These provisions incorporate by reference all other federal laws and regulations pertaining to the project or the activity for which the funds are obligated. Solely for the purposes of emphasis, such applicable provisions include, but are not limited to, the requirements of Appendix A to 2 CFR Part 170—Award terms for Reporting subaward and executive compensation information, and 2 CFR 200, including for those funds for which such amount will be subawarded to a subrecipient, 2 CFR 200.331.3. Relative to the above designated project, the FHWA has authorized certain work to proceed as evidenced by the date entered opposite the specific item of work. For such authorized work, the federal funds obligated or advance-construction authorized, are not to exceed the amount shown herein. The balance of the estimated total project cost is an obligation of the State or other direct recipient. 4. Such authorization of Federal funds extends only to project costs incurred by the State, or other recipient, following Federal Highway Administration's authorization to proceed with the project.

PROJECT TITLE: Fayette - Right of way activities for construction of new and replacement sidewalk on Oxford Circle from Versailles Rd to Cambridge Dr in Lexington
PROJECT DESCRIPTION: Right of way activities for construction of new and replacement sidewalk on Oxford Circle from Versailles Rd to Cambridge Dr in Lexington
DUNS#: 188593644

CLASSIFICATION OF PHASE OF WORK TO BE PUT UNDER AGREEMENT	EFFECTIVE DATE OF AUTHORIZATION
HIGHWAY PLANNING & RESEARCH	
PRELIMINARY ENGINEERING	
RIGHT-OF-WAY	08/29/2018
CONSTRUCTION	
OTHER	

PROGRAM CODE	FAIN	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
Z400	213003349Z 400		\$8,200.00	80.00%	\$6,760.00	\$0.00
TOTAL			\$8,200.00		\$6,760.00	\$0.00

ESTIMATED TOTAL COST: \$8,200.00
TOTAL AUTHORIZED FOR PROJECT: \$6,760.00

EXECUTIVE OFFICE OF THE COMMONWEALTH OF KENTUCKY

AVAILABLE FUNDS CERTIFIED BY:	Selena Curry	DATE:	08/14/2018
APPROVED AND REQUESTED BY:	Erin Clouse	DATE:	08/21/2018
AGRMT/MODIFY REQUESTED BY:	Ronald Rigney	DATE:	08/22/2018

FEDERAL HIGHWAY ADMINISTRATION

PROJECT INFORMATION REVIEWED BY:	Keenan Clarke	DATE:	08/23/2018
APPROVAL RECOMMENDED BY:	Bernadette Dupont	DATE:	08/27/2018
APPROVED AND AUTHORIZED BY:	Steven Jacobs	DATE:	08/29/2018

RECIPIENT REMARKS:

New Toll Credits total= \$200.00
eMARS#- 9236601R;9236602R KYTC#- CM;431
CFDA#- 20.205, Project End Date- 12/31/2019
OBLIGATE \$5,760.00 of Z400 FUNDS FOR THE ROW PHASE (MATCH PROVIDED BY LFUCG) AND \$1,000.00 Z400 FOR ROW
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:

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

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