

**AGREEMENT BETWEEN  
THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET  
AND THE  
LOUISVILLE-JEFFERSON COUNTY METRO GOVERNMENT  
CANNONS LANE SIDEWALKS/ ITEM NO. 5-3212  
FEDERAL PROJECT NUMBER 4001 009/ PO2-628-1700004189  
\$150,000.00**

This AGREEMENT is made and entered into by and between the Commonwealth of Kentucky, Transportation Cabinet, hereinafter the "CABINET" and the Louisville-Jefferson County Metro Government, hereinafter the "RECIPIENT".

**WITNESSETH:**

WHEREAS, the Federal Highway Administration (FHWA), through the CABINET, has approved \$150,000.00 in federal funding for the Cannons Lane Sidewalk Project hereinafter the "PROJECT", known as Federal Project Number 4001 009 and the applicable Catalog of Federal Domestic Assistance number is 20.205-Highway Planning and Construction,

WHEREAS, the Federal-aid Highway Program is a State Administered Reimbursement Program and the RECIPIENT shall carry out this PROJECT in accordance with applicable Federal and State laws and regulations including all of Title 49 United States Code (USC), Title 23 United States Code (USC), 49 Code of Federal Regulations (CFR), 23 Code of Federal Regulations (CFR), and 2 CFR 200,

WHEREAS, the RECIPIENT must comply with applicable CABINET policies and procedures,

WHEREAS, Federal-aid projects are to serve a public purpose, the RECIPIENT is responsible for maintaining any real property or facilities improved pursuant to the PROJECT on a non-profit basis,

WHEREAS, the RECIPIENT shall refer to the *Federal-Aid Project Development Guide for Local Public Agencies*, hereinafter the "GUIDE", and any future revisions for assistance in complying with this AGREEMENT,

WHEREAS, the RECIPIENT shall outline, undertake, and complete the work as described in the Scope of Work and Budget Summary (Attachment A) in accordance with the terms and conditions of this AGREEMENT, and consistent with the FHWA Contract Administration Manual, the CABINET/FHWA Stewardship Agreement, FHWA Form 1273 and all applicable State and Federal laws and regulations,

WHEREAS, the RECIPIENT shall demonstrate and shall maintain adequate staff, provide delivery systems, and sufficient accounting control to complete the PROJECT in accordance with all Federal and State laws and regulations addressed herein, and

WHEREAS, the RECIPIENT has agreed to provide a minimum of 20% matching funds and to accept responsibility for all administration, staffing, maintenance and operation costs for the Project as identified under this AGREEMENT;

NOW THEREFORE, in consideration of the mutual covenants and agreements herein set forth, the CABINET and the RECIPIENT hereby agree as follows:

Section 1. Scope of Work & Budget Summary. It is understood that the PROJECT will enhance the transportation system as further described in the Scope of Work and Budget Summary (Attachment A, attached hereto and made a part of this AGREEMENT). In the Scope of Work and Budget Summary, the RECIPIENT is to include detailed expectations, individual activities, estimates, and a schedule with

**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. Effective December 26, 2014, FHWA requires a project end date for each federal project phase programmed. 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 and design engineering to construct a sidewalk along Cannons Lane between Willis Avenue and Bowman Field (Seneca Loop).

The TAP funding for this project covers design costs only. Section 102(b) of Title 23, United States Code requires repayment of all Federal-aid reimbursements for PE costs on a project that has not advanced to ROW acquisition or construction within 10 years after Federal-aid funds were first made available. This rule will apply to this project. The Louisville-Jefferson County Metro Government will be responsible for reimbursing KYTC for these funds if the project has not moved to the ROW or construction phase within 10 years. The Louisville-Jefferson County Metro Government will be responsible for securing funds for future phases of the project.

**Budget:**

	Federal Funds (TAP)	Local Funds	Toll Credits	Total	
<b>Current MOA</b>	Design Phase Funding: Metro Program# 9237501D	\$150,000.00	\$37,500.00	-	\$187,500.00
	Design Phase Funding: Cabinet Program# 9237502D	\$5,000.00	-	\$1,000.00	\$5,000.00
<b>Design Phase Total for Metro</b>		<b>\$150,000.00</b>	<b>\$37,500.00</b>		<b>\$187,500.00</b>
<b>Design Phase Total for Cabinet</b>		<b>\$5,000.00</b>		<b>\$5,000.00</b>	<b>\$5,000.00</b>

# Grants Budgetary Information

**Agency:** PUBLIC WORKS

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**Document Type\*:**     Application     Award     Amendment     Other

\*Note: Legislation is not typically composed for applications. If legislation is requested for an application, please contact the Fiscal Administrator.

**Document Name:** Cannons Lane Sidewalk Project - \$150,000 TAP

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**Agreement Period:** from when signed until- 12/31/2019

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**Award Amount:** \$150,000.00

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**Cost Center(s):** Federal Cost Center has not been established yet

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**Match Required?**     Yes     No         **Match Amount:** 20% / 37,500

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**Match Cost Center:** 8102-410-8105-148227-821345 (\$7,051.20 of \$11,575.75)  
Rest is in FY18 budget request per Dirk Gowin

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Please fill out ONLY ONE of the boxes below. "New Grant" means this grant has not been budgeted within the current fiscal year and is a completely new revenue for the current fiscal year. "Existing Grant" means there is currently a cost center with budget established for this grant.

New Grant Information	
Note: New grants will require a resolution or ordinance be taken before Council. This process takes approximately 6-8 weeks.	
Amount to be budgeted in current fiscal year: _____	\$150,000.00

Existing Grant Information	
Note: If the award amount is greater than the amount budgeted in LeAP, an A/R memo will need to be signed by the Mayor. This process takes approximately 2 weeks.	
Current amount budgeted in LeAP: _____	\$0.00
Additional amount to be budgeted in LeAP for current fiscal year: _____	\$0.00

Routing Information	
Name: <u>Nick Borho</u> <i>NB</i>	Date: <u>4/24/2017</u>
Name: <u>Teresa Pridemore</u> <i>TP</i>	Date: <u>4/20/17</u>
Name: <u>Erica Smith</u> <i>ES</i>	Date: _____
Name: <u>Ben Tipton</u>	Date: _____