



Matthew G. Bevin
Governor

**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Greg Thomas
Secretary

November 15, 2017

The Honorable Gregory Fischer, Mayor
Louisville-Jefferson County Metro Government
527 West Jefferson Street
Louisville KY 40202

Dear Mayor Fischer:

The Kentucky Transportation Cabinet has prepared the enclosed Supplemental Agreement whereby the Cabinet will provide up to an additional \$950,000 in reimbursable SLO funds to the Louisville-Jefferson County Metro Government (Metro). This funding will be used for the 18th and Broadway Project, Item No. 05-00413.00. Please see the agreement for more details. Metro will be responsible for any ineligible costs, the additional 20% local match funds, and any costs in excess of the additional \$950,000 for the continuation of the Project.

We request that you sign both copies of this agreement, a resolution, and Person in Responsible Charge (Attachment C) as requested in Sections 43 and 44. Please return the signed copies of the agreement and the resolution to Erin S Clouse, Kentucky Transportation Cabinet, Division of Program Management, 200 Mero Street, Frankfort, KY 40622. Upon receipt, we will execute the agreement and authorize funding for this project. One fully executed copy will be returned to Metro for your use and retention.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Thomas".

Greg Thomas
Secretary

GT:esc

Enclosures: 2

c: Patty Dunaway, P.E., State Highway Engineer
Matt Bullock, P.E., Chief District Engineer, D-5
Travis Thompson, P.E., Planning, D-5



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**AGREEMENT BETWEEN
THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET
AND
LOUISVILLE-JEFFERSON COUNTY METRO GOVERNMENT
18TH STREET AND BROADWAY (05-00413.00)
FEDERAL PROJECT NUMBERS 8801-004, 8801-008
SUPPLEMENTAL AGREEMENT NO. 2
\$950,000 FEDERAL SLO FUNDS**

WHEREAS, the Federal Highway Administration (FHWA), through the Kentucky Transportation Cabinet (CABINET) and the Louisville-Jefferson County Metro Government (RECIPIENT) entered into an agreement on March 10, 2006 wherein the CABINET approved up to \$240,000 in federal funding to the RECIPIENT for of phases of the 18th and Broadway PROJECT and authorized \$40,000 for the Design Phase, known as Federal Project Number 8801-004, and the applicable Catalog of Federal Domestic Assistance number is 20.205-Highway Planning and Construction,

WHEREAS, these same parties entered in to Supplemental Agreement No.1 on November 25, 2015 wherein the FHWA through the CABINET approved an additional \$63,397 in reimbursable federal funding to the RECIPIENT for the continuation of the Design Phase,

WHEREAS, the RECIPIENT has requested additional funds for the continuation of PROJECT into the Construction Phase,

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:

LOUISVILLE-JEFFERSON COUNTY METRO GOVERNMENT
18TH STREET AND BROADWAY
ITEM NO. 05-00413.00
SUPPLEMENTAL AGREEMENT NO.2
\$950,000 FEDERAL SLO FUNDS

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

The PROJECT is the realignment of the southern portion of 18th Street (also known as Dixie Highway) at its intersection with West Broadway, in the City of Louisville in Jefferson County, Kentucky. The northern alignment of 18th Street is offset to the east requiring through traffic on 18th Street to make two turns. The proposed realignment would re-route a short portion of 18th Street south of West Broadway through what was a parking lot west of the old Philip Morris Building, located at 1700 West Broadway (now demolished.) The result of this project will be a single intersection with new traffic signals designed to smooth traffic flow and increase safety for motorists and pedestrians. The PROJECT is listed as KIPDA ID 1192 in the Transportation Improvement Program and the Six Year Highway Plan Number is 05-00413.00. This agreement approves \$1,000,000 in federal SLO funding (with the required match of \$237,500 in local funds). The RECIPIENT shall be responsible for all activities related to this PROJECT as lead agency and maintain all improvements upon completion.

Construction Phase - Scope of Work and Schedule

The project is scheduled to utilize 80% in federal SLO funding, and 20% local matching funding, and follow the federal funding regulations:

- a. Competitive bidding of construction phase, consistent with all federal regulations in 23CFR635,
- b. Performance of all necessary agency coordination, including but not limited to KYTC,
- c. Selection of lowest responsive bidder by competitive bid process,
- d. Notice to begin work is anticipated to be March 1, 2018,
- e. Construction inspection to be provided by Stantec,
- f. Completion date within 90 days from the date of the notice to Proceed
- g. Project administration consistent with Appendix F of the Federal-Aid Highway Program Project Development Guide for Local Public Agencies

Budget:

		Federal Funds (SLO)	Local Funds	Toll Credits	Total
Original MOA (March 10, 2006)	Design Phase Funding: Metro Program# 7846201D	\$40,000.00	\$10,000.00	-	\$50,000.00
	Utility Phase Funding: Metro Estimated	\$40,000.00	\$10,000.00	-	\$50,000.00
	Construction Phase Funding: Metro Estimated	\$160,000.00	\$40,000.00	-	\$200,000.00
Supplemental Agreement No. 1 (November 25, 2015)	Design Phase Funding: Metro Program# 7846201D	+63,397.00	+\$15,849.25	-	+\$79,246.25
	Design Phase Funding: Cabinet Program# 7846202D	+\$7,044.00	-	+\$1,408.80	+7,044.00
Supplemental Agreement No. 2 (Current)	Construction Phase Funding: Metro Program# 7846201C	+\$950,000.00	+\$237,500.00	-	+\$1,187,500.00
	Design Phase Funding: Cabinet Program# 7846202C	+\$50,000.00	-	+\$10,000.00	+\$50,000.00
Design Phase Total for Metro		\$103,397.00	\$25,849.25	-	\$129,246.25
Construction Phase Total for Metro		\$950,000.00	\$237,500.00	-	\$1,187,500.00
Oversight Total for Cabinet		\$57,044.00		\$11,408.80	\$57,044.00

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.