



Matthew G. Bevin
Governor

**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**

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

Greg Thomas
Secretary

October 5, 2018


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 No. 3 whereby the Cabinet will provide up to an additional \$360,000 in reimbursable federal funds to the Louisville-Jefferson County Metro Government (Metro). This funding will be used for the Right of Way Phase of Section II of the NE Louisville Loop Project, Item No. 05-03030.20. Please see the agreement for more details. Metro will be responsible for any ineligible costs, the 20% local match funds, and any costs in excess of the additional \$360,000 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,



Greg Thomas
Secretary

GT:esc

Enclosures: 2

c: Andy Barber, 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
NORTHEAST LOUISVILLE LOOP / ITEM NO. 5-3030
FEDERAL PROJECT SPM 3001(428), 3001(496), AND 3001-534
SUPPLEMENTAL AGREEMENT NO.3
\$360,000 SLO FUNDS**

WHEREAS, the Federal Highway Administration (FHWA) through the Commonwealth of Kentucky, Transportation Cabinet (CABINET) and the Louisville-Jefferson County Metro Government (RECIPIENT) entered into an agreement on June 10, 2012 wherein the CABINET approved up to \$477,000 in federal funding to the RECIPIENT for the Design Phase of the Northeast Louisville Loop Project (PROJECT), known as Federal Project Numbers 3001-428, 3001-496, and 3001-534 and the applicable Catalog of Federal Domestic Assistance number is 20.205-Highway Planning and Construction,

WHEREAS, these same two parties entered into Supplemental Agreement No. 1 on July 12, 2016 for the continuation of the PROJECT wherein an additional \$336,000 was authorized for the Design and Right of Way Phases,

WHEREAS, these same two parties entered into Supplemental Agreement No. 2 on February 7, 2018 wherein the CABINET through the FHWA authorized the RECIPIENT \$136,364 of additional funds for the Right-of-Way for Construction Section I of the PROJECT,

WHEREAS, the RECIPIENT requires additional funds for the Right-of-Way for Construction Section II of the PROJECT and the CABINET through FHWA has authorized an additional \$360,000 of reimbursable federal funding,

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,

WHEREAS, the CABINET through FHWA has authorized up to an additional \$396,000 of federal funds for the continuation of the PROJECT, and

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

The PROJECT is expected to design and construct a shared-use path along US 60 (Shelbyville Road) from Beckley Woods Drive to Eastwood Cut-off. The PROJECT is listed as KIPDA ID 2268 in the Transportation Improvement Program and the Six Year Highway Plan Number is 5-3030.2 (Section II). This agreement approves \$360,000 in federal SLO funding (with the required match of \$90,000 in local funds) for the Right of Way Phase as well as \$36,000 in SLO funding for KYTC Oversight of the right of way phase. The RECIPIENT shall be responsible for all activities related to this PROJECT as lead agency and maintain all improvements upon completion.

Scope of Work and Schedule

Right-of-Way Phase

- (a) Acquisition of all necessary rights-of-way as determined in Phase I design for Construction Section 2, from Beckley Station to Bircham Road
- (b) Performance of all necessary agency coordination, including but not limited to KYTC and FHWA.

Budget:

		Federal Funds (SLO)	Local Funds	Toll Credits	Total
Original MOA (June 10, 2012)	Design Phase Funding: Metro Program# 8626801D	\$477,000.00	\$119,250.00	-	\$596,250.00
	Design Phase Funding: Cabinet Program# 8626802D	\$53,000.00	-	\$10,600.00	\$53,000.00
Supplemental Agreement No. 1 (July 12, 2016)	Design Phase Funding: Metro Program# 8626801D	+\$245,000.00	+\$61,250.00	-	+\$306,250.00
	Right-of-Way Phase Funding: Metro Program# 8626801R	+\$91,000.00	+\$22,750.00	-	+\$113,750.00
	Right-of-Way Phase Funding: Cabinet Program# 8626802R	+\$9,000.00	-	+\$1,800.00	\$9,000.00
Supplemental Agreement No. 2 (February 7, 2018)	Right-of-Way Phase-Section I Funding: Metro Program# 8626803R	+\$136,364.00	+\$34,091.00	-	+\$170,455.00
	Right-of-Way Phase Funding: Cabinet Program# 8626804R	+\$13,636.00	-	+\$2,727.20	\$13,636.00
Supplemental Agreement No. 3 (Current)	Right-of-Way Phase-Section I Funding: Metro Program# 8626803R	+\$360,000.00	+\$90,000.00	-	+\$450,000.00
	Right-of-Way Phase Funding: Cabinet Program# 8626804R	+\$36,000.00	-	+\$7,200.00	+\$36,000.00
Design Phase Total for Metro		\$722,000.00	\$180,500.00	-	\$902,500.00
Right-of-Way Phase Total for Metro		\$587,364.00	\$146,841.00	-	\$734,205.00
Oversight Total for Cabinet		\$111,636.00		\$22,327.20	\$111,636.00

Estimated Future Phases for Section II:

	Utilities	Fiscal Year	Construction	Fiscal Year
Northeast Louisville Loop MET Section 2 Beckley Station to Bircham Road	\$100,000	2019	\$1,100,000	2019

Future phases will be the responsibility of Louisville Metro. The anticipated future authorizations shown above include Federal portion of SLO funds, which is in the TIP, and will require 20% local matching funds.