



COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
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MEMORANDUM

TO: Chief District Engineers
Director of Maintenance

FROM: Steven K. Waddle, P.E. 
State Highway Engineer

DATE: September 16, 2010

SUBJECT: School Site Review Process
Permits Manual Section PE-304
Policy Amendment Update

This policy memorandum addresses the procedures that the Kentucky Transportation Cabinet (KYTC) will follow in cooperation with the Kentucky Department of Education, District Facilities Branch (DFB) for the selection of school sites and the roadway improvements on state R/W. With an effective date of September 16, 2010, this memorandum replaces the previous memo dated October 31, 2008 regarding the School Site Review Process.

1. Site Selection Process –702 KAR 4:050 requires;
 - i) A letter from KYTC confirming road adequacy, and
 - ii) the public road network servicing a site to be adequate both in width and capacity to accommodate the projected bus and vehicular traffic for the proposed facility in addition to normal traffic while providing a safe and efficient access, and
 - iii) consultation with the KYTC.

This will be accomplished by the following steps:

- a) The local Board of Education (BOE) provides a written request to DFB to inspect new sites. The request shall include a location map of the prospective sites. The DFB will forward this request to KYTC, Central Office Permits, for site visit coordination.
- b) Central Office (CO) Permits will schedule site visit(s). These will be performed by representatives from DFB, BOE, and KYTC District Office (DO) and CO.

- c) CO Permits will determine if any proposed or pending KYTC projects are in the vicinity of the site(s).
 - d) Site visit(s) will be for the purpose of eliminating sites with unacceptable conditions and performing preliminary evaluations on remaining sites.
 - e) The BOE will obtain the services of a KYTC prequalified traffic engineering firm to provide a traffic impact/engineering study for the remaining site(s).
 - f) The traffic impact/engineering study will be forwarded to CO Permits for review, then the DFB, BOE, CO, and the appropriate DO personnel will agree on the entrance location to the selected site.
 - g) If the site is on a controlled access facility, then an approval to break access must be obtained before the school site policy can continue, according to 603 KAR 5:120.
2. Confirmation – The KYTC will provide a letter confirming road adequacy and financial responsibility (if any). This will be accomplished by the following steps:
- a) The BOE will send a letter to CO requesting confirmation of funding for the improvements on state R/W.
 - b) CO Design will supply the design parameters and projected cost for work to be performed on R/W.
 - c) CO Permits will draft a letter on behalf of the Secretary to the BOE superintendent confirming the selected site. The letter will contain the Cabinet's commitment to perform the necessary work or to provide financial responsibility for the BOE to perform the work on R/W; with the exception of design fees, R/W acquisition, and utility relocation. Copies of this documentation will be provided to the DO and the DFB.
3. KYTC Design – If the KYTC performs the work on R/W;
- a) Sections 4 - 7 will not be required, except the KYTC may still require the BOE to obtain applicable permits.
 - b) BOE will be responsible for relocating utilities and providing the necessary R/W. Additional R/W acquired by the BOE for the construction and maintenance of the roadway shall be transferred to the KYTC.
 - c) KYTC will issue a permit for a temporary construction entrance for the school site work.
 - d) The KYTC will be responsible for completing the work on R/W.
4. BOE Design – If the BOE performs the work on R/W.

- a) The BOE must pass a resolution authorizing a representative to sign the agreement. The BOE will then forward a copy of the resolution to CO Permits.
- b) The engineering design firm hired by the BOE will utilize the design parameters provided by the KYTC for the development of plans which must be stamped and signed by a professional engineer.
- c) The BOE will submit a permit application and plans for the work to be performed on R/W. Additional R/W acquired by the BOE for the construction and maintenance of the roadway shall be transferred to the KYTC.
- d) The BOE's engineering firm shall provide a detailed cost estimate for work on R/W based on existing KYTC bid items.
- e) Design plans and estimates will be sent to DO for review and forwarded to CO Permits Branch for distribution and comments from the appropriate KYTC Divisions.
- f) CO will advise the DO of any changes necessary to finalize the plans and the DO will notify the applicant.
- g) Once the DO has received final plans, CO will advise DFB and the BOE that they may proceed with advertisement of bids for the work on R/W. Bids shall be received based on unit bid prices using existing KYTC bid items.
- h) After the work on R/W has been awarded the DO shall issue the permit to the BOE's contractor.
- i) The BOE's contractor shall obtain a bond equal to the amount of work to be performed on R/W. The bond will be issued to the KYTC and remain in effect for 1 year after the completion of the work.

5. Construction - Construction, Materials, Erosion Control, and Safety Measures

- a) Construction must be performed by KYTC prequalified contractors, both prime contractor and subcontractors, and in accordance with the current version of KYTC Standard Specifications for Road and Bridge Construction.
- b) Formal requests (change orders) for changes to the original agreement will be submitted to the Secretary's Office for approval **before the work is performed**.
- c) Materials must be supplied by KYTC approved manufacturers and must meet current KYTC Standard Specifications for Road and Bridge Construction and be accompanied by a manufacturer's signed certification that states the materials conform to the current specifications. These certifications will be requested by the KYTC upon completion of work and prior to reimbursement.
- d) All construction, inspection, documentation, and as-builts must be stamped and signed by a professional engineer from a consultant contracted by the BOE.

- e) Erosion Control must be installed and maintained in accordance with the KYTC Standard Specifications for Road and Bridge Construction. Applicable permits must be obtained by the BOE and/or Contractor performing the work.

6. Funding – Preparation of funding and agreement documents.

- a) CO Permits verifies all documentation and then will request approval of the funding from the Secretary based on actual bids received and accepted by the BOE for the construction work on R/W. If actual bids are higher than the KYTC's and/or the engineer's estimates, then further justification from the BOE, prior to award, may be required before a request for funding is submitted for approval.
- b) A request is made to Program Management for a Project Authorization (TC10).
- c) Upon receipt of the TC10, CO Permits enters a Request for Purchase (RQS) into e-MARS and attaches the Scope of Work section of the pending agreement and the TC10.
- d) Division of Purchases creates a Purchase Order (PO2) and an agreement. The agreement is submitted to the Office of Legal Services for review and document signature. Purchases will then forward the signature page and a final version of the agreement to the BOE for signature. Purchases will obtain the signature of the Secretary of Transportation. Purchases will forward an original signed agreement to the school superintendent and finalize the PO2 document in e-MARS. A copy of the signed agreement is attached to the PO2. When the PO2 receives the final electronic approval, funds are encumbered.

NOTE: Agreements will only run for the current biennium but may be extended up to two years or one biennium by sending a request for modification to Purchases via e-mail or memo approximately 6 weeks before the end of the agreement term.

- e) CO Permits will then attach a copy of the signed agreement, Purchase Order, and resolution to the permit file. CO Permits communicates the Purchase Order number to the DO.

7. Reimbursement – Construction is completed in accordance with Permit.

- a) The BOE submits final cost and all project documentation to the DO. The DO inspects the project site and when construction has been completed in accordance with the permit, the DO will authorize payment.
- b) The final payment is to be marked "Final" so the Purchase Order can be closed and any remaining funds released.
- c) Formal requests (change orders) for changes to the original agreement will be submitted to the Secretary's Office for approval **before the work is performed**. Change Order work must be in accordance with the original scope of work. The District forwards their recommendation and documentation to Central Office Permits for a modification to the original agreement, subject to approval.

- d) CO Permits provides documentation to Program Management for a TC10 and necessary signatures.
- e) CO Permits sends notification via e-mail or memo to Purchases for a modification to the agreement with a copy of the TC10 obtained above. Purchases will complete the modification process.

The process described above will be incorporated into the Permits Policy Manual upon its next revision.

SW/dls

c: Gregory C. Dunbar, DFB
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