CALL NO. 103

CONTRACT ID. 261132

MONTGOMERY COUNTY

FED/STATE PROJECT NUMBER STP 0129 (002)

DESCRIPTION HINKSTON PIKE (KY 1991)

WORK TYPE GRADE, DRAIN & SURFACE WITH BRIDGE

PRIMARY COMPLETION DATE 6/30/2028

LETTING DATE: December 10,2026

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN STANDARD TIME December 10,2026. Bids will be publicly announced at 10:00 AM EASTERN STANDARD TIME.

PLANS AVAILABLE FOR THIS PROJECT.

DBE CERTIFICATION REQUIRED - 0%

REQUIRED BID PROPOSAL GUARANTY: Not less than 5% of the total bid.

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SCOPE OF WORK

ADMINISTRATIVE DISTRICT - 07

CONTRACT ID - 261132

STP 0129 (002)

COUNTY - MONTGOMERY

PCN - DE08719912632
STP 0129 (002)

HINKSTON PIKE (KY 1991) WIDEN HINKSTON PIKE (KY-1991) FROM MAYSVILLE ROAD TO MIDLAND TRAIL INDUSTRIAL PARK, A DISTANCE OF 01.77 MILES.GRADE, DRAIN & SURFACE WITH BRIDGE SYP NO. 07-00240.00.

GEOGRAPHIC COORDINATES LATITUDE 38:04:38.00 LONGITUDE 83:56:03.00

ADT

COMPLETION DATE(S):

COMPLETED BY 06/30/2028 APPLIES TO ENTIRE CONTRACT

CONTRACT NOTES

INSURANCE
Refer to Kentucky Standard Specifications for Road and Bridge Construction, current edition.

PROPOSAL ADDENDA
All addenda to this proposal must be applied when calculating bid and certified in the bid packet submitted to the Kentucky Department of Highways. Failure to use the correct and most recent addenda may result in the bid being rejected.

BID SUBMITTAL
Bidder must use the Department's electronic bidding software. The Bidder must download the bid file located on the Bid Express website (www.bidx.com) to prepare a bid packet for submission to the Department. The bidder must submit electronically using Bid Express.

JOINT VENTURE BIDDING
Joint venture bidding is permissible. All companies in the joint venture must be prequalified in one of the work types in the Qualifications for Bidders for the project. The bidders must get a vendor ID for the joint venture from the Division of Construction Procurement and register the joint venture as a bidder on the project. Also, the joint venture must obtain a digital ID from Bid Express to submit a bid. A joint bid bond of 5% may be submitted for both companies or each company may submit a separate bond of 5%.

UNDERGROUND FACILITY DAMAGE PROTECTION
The contractor shall make every effort to protect underground facilities from damage as prescribed in the Underground Facility Damage Protection Act of 1994, Kentucky Revised Statute KRS 367.4901 to 367.4917. It is the contractor's responsibility to determine and take steps necessary to be in compliance with federal and state damage prevention directives. When prescribed in said directives, the contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom shall be contacted through their individual Protection Notification Center. Non-compliance with these directives can result in the enforcement of penalties.

REGISTRATION WITH THE SECRETARY OF STATE BY A FOREIGN ENTITY
Pursuant to KRS 176.085(1)(b), an agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a state contract to a person that is a foreign entity required by KRS 14A.9-010 to obtain a certificate of authority to transact business in the Commonwealth ("certificate") from the Secretary of State under KRS 14A.9-030 unless the person produces the certificate within fourteen (14) days of the bid or proposal opening. If the

foreign entity is not required to obtain a certificate as provided in KRS 14A.9-010, the foreign entity should identify the applicable exception. Foreign entity is defined within KRS 14A.1-070.

For all foreign entities required to obtain a certificate of authority to transact business in the Commonwealth, if a copy of the certificate is not received by the contracting agency within the time frame identified above, the foreign entity's solicitation response shall be deemed non-responsive or the awarded contract shall be cancelled.

Businesses can register with the Secretary of State at https://secure.kentucky.gov/sos/ftbr/welcome.aspx .

SPECIAL NOTE FOR PROJECT QUESTIONS DURING ADVERTISEMENT

Questions about projects during the advertisement should be submitted in writing to the Division of Construction Procurement. This may be done by email to kytc.projectquestions@ky.gov. The Department will attempt to answer all submitted questions. The Department reserves the right not to answer if the question is not pertinent or does not aid in clarifying the project intent.

The deadline for posting answers will be 3:00 pm Eastern Daylight Time, the day preceding the Letting. Questions may be submitted until this deadline with the understanding that the later a question is submitted, the less likely an answer will be able to be provided.

The questions and answers will be posted for each Letting under the heading "Questions & Answers" on the Construction Procurement website (www.transportation.ky.gov/construction-procurement). The answers provided shall be considered part of this Special Note and, in case of a discrepancy, will govern over all other bidding documents.

HARDWOOD REMOVAL RESTRICTIONS

The US Department of Agriculture has imposed a quarantine in Kentucky and several surrounding states, to prevent the spread of an invasive insect, the emerald ash borer. Hardwood cut in conjunction with the project may not be removed from the state. Chipping or burning on site is the preferred method of disposal.

INSTRUCTIONS FOR EXCESS MATERIAL SITES AND BORROW SITES

Identification of excess material sites and borrow sites shall be the responsibility of the Contractor. The Contractor shall be responsible for compliance with all applicable state and federal laws and may wish to consult with the US Fish and Wildlife Service to seek protection under Section 10 of the Endangered Species Act for these activities.

ACCESS TO RECORDS

The state agency certifies that it is in compliance with the provisions of KRS 45A.150, "Access to contractor's books, documents, papers, records, or other evidence directly pertinent to the contract." The Contractor, as defined in KRS 45A.030, agrees that the contracting agency, the

Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this agreement for the purpose of financial audit or program review. The Contractor also recognizes that any books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS 61.870 to 61.884. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the agreement and shall be exempt from disclosure as provided in KRS 61.878(1)(c).

BOYCOTT PROVISIONS

If applicable, the contractor represents that, pursuant to KRS 45A.607, they are not currently engaged in, and will not for the duration of the contract engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which Kentucky can enjoy open trade. **Note:** The term Boycott does not include actions taken for bona fide business or economic reasons, or actions specifically required by federal or state law.

If applicable, the contractor verifies that, pursuant to KRS 41.480, they do not engage in, and will not for the duration of the contract engage in, in energy company boycotts as defined by KRS 41.472.

LOBBYING PROHIBITIONS

The contractor represents that they, and any subcontractor performing work under the contract, have not violated the agency restrictions contained in KRS 11A.236 during the previous ten (10) years, and pledges to abide by the restrictions set forth in such statute for the duration of the contract awarded.

The contractor further represents that, pursuant to KRS 45A.328, they have not procured an original, subsequent, or similar contract while employing an executive agency lobbyist who was convicted of a crime related to the original, subsequent, or similar contract within five (5) years of the conviction of the lobbyist.

FEDERAL CONTRACT NOTES

The Kentucky Department of Highways, in accordance with the Regulations of the United States Department of Transportation 23 CFR 635.112 (h), hereby notifies all bidders that failure by a bidder to comply with all applicable sections of the current Kentucky Standard Specifications, including, but not limited to the following, may result in a bid not being considered responsive and thus not eligible to be considered for award:

102.02 Current Rating
102.13 Irregular Bid Proposals
102.09 Proposal Guaranty
102.08 Preparation and Delivery of Proposals
102.14 Disqualification of Bidders

CIVIL RIGHTS ACT OF 1964

The Kentucky Transportation Cabinet, Department of Highways, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, disability, income- level, or Limited English Proficiency (LEP)in consideration for an award.

NOTICE TO ALL BIDDERS

To report bid rigging activities call: 1-800-424-9071.

The U.S. Department of Transportation (DOT) operates the above toll-free “hotline” Monday through Friday, 8:00 a.m. to 5:00 p.m. eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the “hotline” to report such activities.

The “hotline” is part of the DOT’s continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

SECOND TIER SUBCONTRACTS

Second tier subcontracts are acceptable per Section 108.01 of the Standard Specifications for Road and Bridge Construction. S u b - Contractors fulfilling a disadvantaged business enterprise goal on a project may enter into a 2nd tier subcontract with a Non-DBE Subcontractor. However, in this instance, none of the work subcontracted to the Non-DBE Contractor will count toward fulfilling the established Disadvantaged Goal for the project.

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

It is the policy of the Kentucky Transportation Cabinet ("the Cabinet") that Disadvantaged Business Enterprises ("DBE") shall have the opportunity to participate in the performance of highway construction projects financed in whole or in part by Federal Funds in order to create a level playing field for all businesses who wish to contract with the Cabinet. To that end, the Cabinet will comply with the regulations found in 49 CFR Part 26, and the definitions and requirements contained therein shall be adopted as if set out verbatim herein.

The Cabinet, contractors, subcontractors, and sub-recipients shall not discriminate on the basis of race, color, national origin, or sex in the performance of work performed pursuant to Cabinet contracts. The contractor shall carry out applicable requirements of 49 CFR 26 in the award and administration of federally assisted highway construction projects. The contractor will include this provision in all its subcontracts and supply agreements pertaining to contracts with the Cabinet.

Failure by the contractor to carry out these requirements is a material breach of its contract with the Cabinet, which may result in the termination of the contract or such other remedy as the Cabinet deems necessary.

DBE GOAL

The Disadvantaged Business Enterprise (DBE) goal established for this contract, as listed on the front page of the proposal, is the percentage of the total value of the contract.

The contractor shall exercise all necessary and reasonable steps to ensure that Disadvantaged Business Enterprises participate in a least the percent of the contract as set forth above as goals for this contract.

OBLIGATION OF CONTRACTORS

Each contractor prequalified to perform work on Cabinet projects shall designate and make known to the Cabinet a liaison officer who is assigned the responsibility of effectively administering and promoting an active program for utilization of DBEs.

If a formal goal has not been designated for the contract, all contractors are encouraged to consider DBEs for subcontract work as well as for the supply of material and services needed to perform this work.

Contractors are encouraged to use the services of banks owned and controlled by minorities and women.

CERTIFICATION OF CONTRACT GOAL

Contractors shall include the following certification in bids for projects for which a DBE goal has been established. BIDS SUBMITTED WHICH DO NOT INCLUDE CERTIFICATION OF DBE PARTICIPATION WILL NOT BE ACCEPTED. These bids will not be considered for award by the Cabinet and they will be returned to the bidder.

"The bidder certifies that it has secured participation by Disadvantaged Business Enterprises ("DBE") in the amount of _____ percent of the total value of this contract and that the DBE participation is in compliance with the requirements of 49 CFR 26 and the policies of the Kentucky Transportation Cabinet pertaining to the DBE Program."

The certification statement is located in the electronic bid file. All contractors must certify their DBE participation on that page. DBEs utilized in achieving the DBE goal must be certified and prequalified for the work items at the time the bid is submitted.

DBE PARTICIPATION PLAN

Lowest responsive bidders must submit the *DBE Plan/ Subcontractor Request*, form TC 14-35 DBE, within 5 days of the letting. This is necessary before the Awards Committee will review and make a recommendation. **The project will not be considered for award prior to submission and approval of the apparent low bidder's DBE Plan/Subcontractor Request.**

The DBE Participation Plan shall include the following:

1. Name and address of DBE Subcontractor(s) and/or supplier(s) intended to be used in the proposed project;
2. Description of the work each is to perform including the work item, unit, quantity, unit price and total amount of the work to be performed by the individual DBE. The Proposal Line Number, Category Number, and the Project Line Number can be found in the "material listing" on the Construction Procurement website under the specific letting;
3. The dollar value of each proposed DBE subcontract and the percentage of total project contract value this represents. DBE participation may be counted as follows;
   a) If DBE suppliers and manufactures assume actual and contractual responsibility, the dollar value of materials to be furnished will be counted toward the goal as follows:
      - The entire expenditure paid to a DBE manufacturer;
      - 60 percent of expenditures to DBE suppliers that are not manufacturers provided the supplier is a regular dealer in the product involved. A regular dealer must be engaged in, as its principal business and in its own name, the sale of products to the public, maintain an inventory and own and operate distribution equipment; and
      - The amount of fees or commissions charged by the DBE firms for a bona fide service, such as professional, technical, consultant, or managerial services and assistance in the procurement of essential personnel, facilities, equipment, materials, supplies, delivery of materials and supplies or for furnishing bonds, or insurance, providing such fees or commissions are determined to be reasonable and customary.
   b) The dollar value of services provided by DBEs such as quality control testing, equipment repair and maintenance, engineering, staking, etc.;

c) The dollar value of joint ventures. DBE credit for joint ventures will be limited to the dollar amount of the work actually performed by the DBE in the joint venture;
4. Written and signed documentation of the bidder's commitment to use a DBE contractor whose participation is being utilized to meet the DBE goal; and
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment.

AFTER PROJECT AWARD AND BEFORE NOTICE TO PROCEED/WORK ORDER IS ISSUED (SEE SECTION 103.06, STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION

Prime Contractors awarded a federally funded project with a DBE Goal greater than zero will be required to submit a fully executed DBE Subcontract, along with the attached FHWA 1273 and Certificate of Liability Insurance for each DBE Firm submitted as part of the previously approved DBE Utilization Plan (TC 14-35). A signed quote or purchase order shall be attached when the DBE subcontractor is a material supplier or broker.

The Certificate of Liability Insurance submitted must meet the requirements outlined in Section 107.18 of the Standard Specifications for Road and Bridge Construction.

Changes to ***APPROVED*** DBE Participation Plans must be approved by the Office for Civil Rights & Small Business Development. The Cabinet may consider extenuating circumstances including, but not limited to, changes in the nature or scope of the project, the inability or unwillingness of a DBE to perform the work in accordance with the bid, and/or other circumstances beyond the control of the prime contractor.

CONSIDERATION OF GOOD FAITH EFFORTS REQUESTS

If the DBE participation submitted in the bid by the apparent lowest responsive bidder does not meet or exceed the DBE contract goal, the apparent lowest responsive bidder must submit a Good Faith Effort Package to satisfy the Cabinet that sufficient good faith efforts were made to meet the contract goals prior to submission of the bid. Efforts to increase the goal after bid submission will not be considered in justifying the good faith effort, unless the contractor can show that the proposed DBE was solicited prior to the letting date. DBEs utilized in achieving the DBE goal must be certified and prequalified for the work items at the time the bid is submitted. One complete set (hard copy along with an electronic copy) of this information must be received in the Division of Contract Procurement no later than 12:00 noon of the tenth calendar day after receipt of notification that they are the apparent low bidder.

Where the information submitted includes repetitious solicitation letters it will be acceptable to submit a sample representative letter along with a distribution list of the firms solicited. Documentation of DBE quotations shall be a part of the good faith effort submittal as necessary to demonstrate compliance with the factors listed below which the Cabinet considers in judging good faith efforts. This documentation may include written subcontractors' quotations, telephone log notations of verbal quotations, or other types of quotation documentation.

The Good Faith Effort Package shall include, but may not be limited to information showing evidence of the following:

1. Whether the bidder attended any pre-bid meetings that were scheduled by the Cabinet to inform DBEs of subcontracting opportunities;
2. Whether the bidder provided solicitations through all reasonable and available means;
3. Whether the bidder provided written notice to all DBEs listed in the DBE directory at the time of the letting who are prequalified in the areas of work that the bidder will be subcontracting;
4. Whether the bidder followed up initial solicitations of interest by contacting DBEs to determine with certainly whether they were interested. If a reasonable amount of DBEs within the targeted districts do not provide an intent to quote or no DBEs are prequalified in the subcontracted areas, the bidder must notify the Disadvantaged Enterprise Business Liaison Officer (DEBLO) in the Office for Civil Rights and Small Business Development to give notification of the bidder's inability to get DBE quotes;
5. Whether the bidder selected portions of the work to be performed by DBEs in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise perform these work items with its own forces;
6. Whether the bidder provided interested DBEs with adequate and timely information about the plans, specifications, and requirements of the contract;
7. Whether the bidder negotiated in good faith with interested DBEs not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached;
8. Whether quotations were received from interested DBE firms but were rejected as unacceptable without sound reasons why the quotations were considered unacceptable. The fact that the DBE firm's quotation for the work is not the lowest quotation received will not in itself be considered as a sound reason for rejecting the quotation as unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a DBE quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy DBE goals;
9. Whether the bidder specifically negotiated with subcontractors to assume part of the responsibility to meet the contract DBE goal when the work to be subcontracted includes potential DBE participation;
10. Whether the bidder made any efforts and/or offered assistance to interested DBEs in obtaining the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal; and
11. Any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include DBE participation.

FAILURE TO MEET GOOD FAITH REQUIREMENT

Where the apparent lowest responsive bidder fails to submit sufficient participation by DBE firms to meet the contract goal and upon a determination by the Good Faith Committee based upon the information submitted that the apparent lowest responsive bidder failed to make sufficient reasonable efforts to meet the contract goal, the bidder will be offered the opportunity to meet in person for administrative reconsideration. The bidder will be notified of the Committee's decision within 24 hours of its decision. The bidder will have 24 hours to request reconsideration of the Committee's decision. The reconsideration meeting will be held within two days of the receipt of a request by the bidder for reconsideration.

The request for reconsideration will be heard by the Office of the Secretary. The bidder will have the opportunity to present written documentation or argument concerning the issue of whether it met the goal or made an adequate good faith effort. The bidder will receive a written decision on the reconsideration explaining the basis for the finding that the bidder did or did not meet the goal or made adequate Good Faith efforts to do so.

The result of the reconsideration process is not administratively appealable to the Cabinet or to the United States Department of Transportation.

The Cabinet reserves the right to award the contract to the next lowest responsive bidder or to rebid the contract in the event that the contract is not awarded to the low bidder as the result of a failure to meet the good faith requirement.

SANCTIONS FOR FAILURE TO MEET DBE REQUIREMENTS OF THE PROJECT

Failure by the prime contractor to fulfill the DBE requirements of a project under contract or to demonstrate good faith efforts to meet the goal constitutes a breach of contract. When this occurs, the Cabinet will hold the prime contractor accountable, as would be the case with all other contract provisions. Therefore, the contractor's failure to carry out the DBE contract requirements shall constitute a breach of contract and as such the Cabinet reserves the right to exercise all administrative remedies at its disposal including, but not limited to the following:

- Suspension of Prequalification;
- Disallow credit toward the DBE goal;
- Withholding progress payments;
- Withholding payment to the prime in an amount equal to the unmet portion of the contract goal; and/or
- Termination of the contract.

PROMPT PAYMENT

The prime contractor will be required to pay the DBE and Non-DBE Subcontractors within seven (7) working days after he or she has received payment from the Kentucky Transportation Cabinet for work performed or materials furnished.

CONTRACTOR REPORTING

All contractors must keep detailed records and provide reports to the Cabinet on their progress in meeting the DBE requirement on any highway contract. These records may include, but shall not be limited to payroll, lease agreements, cancelled payroll checks, executed subcontracting agreements, etc. Prime contractors will be required to complete and submit a ***signed and notarized*** Affidavit of Subcontractor Payment (TC 18-7) and copies of checks for any monies paid to each DBE subcontractor or supplier utilized to meet a DBE goal. These documents must be completed and signed within 7 days of being paid by the Cabinet.

Payment information that needs to be reported includes date the payment is sent to the DBE, check number, Contract ID, amount of payment and the check date. Before Final Payment is made on this contract, the Prime Contractor will certify that all payments were made to the DBE subcontractor and/or DBE suppliers.

******* IMPORTANT *******

Please mail the original, signed and completed TC (18-7) Affidavit of Subcontractor Payment form and all copies of checks for payments listed above to the following address:

Office for Civil Rights and Small Business Development
6th Floor West 200 Mero Street
Frankfort, KY 40622

The prime contractor should notify the KYTC Office for Civil Rights and Small Business Development seven (7) days prior to DBE contractors commencing work on the project. The contact in this office is Mr. Tony Youssefi. Mr. Youssefi's current contact information is email address – tyousseffi@ky.gov and the telephone number is (502) 564-3601.

DEFAULT OR DECERTIFICATION OF THE DBE

If the DBE subcontractor or supplier is decertified or defaults in the performance of its work, and the overall goal cannot be credited for the uncompleted work, the prime contractor may utilize a substitute DBE or elect to fulfill the DBE goal with another DBE on a different work item. If after exerting good faith effort in accordance with the Cabinet's Good Faith Effort policies and procedures, the prime contractor is unable to replace the DBE, then the unmet portion of the goal may be waived at the discretion of the Cabinet.

PROHIBITION ON TELECOMMUNICATIONS EQUIPMENT OR SERVICES

In accordance with the FY 2019 National Defense Authorization Act (NDAA), 2 CFR 200.216, and 2 CFR 200.471, Federal agencies are prohibited, after August 13, 2020, from obligating or expending financial assistance to obtain certain telecommunications and video surveillance services and equipment from specific producers. As a result of these regulations, contractors and subcontractors are prohibited, on projects with federal funding participation, from providing telecommunication or video surveillance equipment, services, or systems produced by:

- Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities)
- Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities)

LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – CARGO PREFERENCE ACT (CPA).

(REV 12-17-15) (1-16)

SECTION 7 is expanded by the following new Article:

102.10 **Cargo Preference Act – Use of United States-flag vessels.**

Pursuant to Title 46CFR Part 381, the Contractor agrees

- To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to this contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels.
- To furnish within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, 'on-board' commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph 1 of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590.
- To insert the substance of the provisions of this clause in all subcontracts issued pursuant to this contract.

ASPHALT MIXTURE

Unless otherwise noted, the Department estimates the rate of application for all asphalt mixtures to be 110 lbs/sy per inch of depth.

INCIDENTAL SURFACING

The Department has included in the quantities of asphalt mixtures established in the proposal estimated quantities required for resurfacing or surfacing mailbox turnouts, farm field entrances, residential and commercial entrances, curve widening, ramp gores and tapers, and road and street approaches, as applicable. Pave these areas to the limits as shown on Standard Drawing RPM-110-06 or as directed by the Engineer. In the event signal detectors are present in the intersecting streets or roads, pave the crossroads to the right of way limit or back of the signal detector, whichever is the farthest back of the mainline. Surface or resurface these areas as directed by the Engineer. The Department will not measure placing and compacting for separate payment but shall be incidental to the Contract unit price for the asphalt mixtures.

FUEL AND ASPHALT PAY ADJUSTMENT

The Department has included the Contract items Asphalt Adjustment and Fuel Adjustment for possible future payments at an established Contract unit price of $1.00. The Department will calculate actual adjustment quantities after work is completed. If existing Contract amount is insufficient to pay all items on the contract with the adjustments, the Department will establish additional monies with a change order.

OPTION A

Be advised that the Department will accept compaction of asphalt mixtures furnished for driving lanes and ramps, at 1 inch (25mm) or greater, on this project according to OPTION A in accordance with Section 402 and Section 403 of the current Standard Specifications. The Department will require joint cores as described in Section 402.03.02 for surface mixtures only. The Department will accept compaction of all other asphalt mixtures according to OPTION B.

MATERIAL TRANSFER VEHICLE (MTV)

Provide and use a MTV in accordance with Sections 403.02.10 and 403.03.05.

MONTGOMERY CO. KY 1991 ~m.p. 1.07
~LAT/LONG N 38.07686, W 83.93431
COUNT STATION A80
STA 46+20

SITE LOCATION IS APPROXIMATE AND WILL BE DETERMINED IN THE FIELD AND APPROVED BY DIVISION OF PLANNING PERSONNEL PRIOR TO ANY CONSTRUCTION.

ALL LOOPS SHALL BE 5'X5' SQUARE AND SHALL BE INSTALLED 16' FROM LEADING EDGE TO LEADING EDGE AS SHOWN. PIEZOELECTRIC SENSORS (PIEZOS) SHALL BE INSTALLED 5.5' FROM THE EDGE OF LOOPS WITH THE EDGE OF EACH PIEZO FLUSH WITH THE EDGE OF THE CORRESPONDING DRIVING LANE. LOOPS AND PIEZOS SHALL BE INSTALLED SPLICE-FREE TO THE CABINET. A MINIMUM OF 2' OF WIRE FOR EACH SENSOR SHALL BE COILED INSIDE EACH JUNCTION BOX AND A MINIMUM OF 4' OF WIRE FOR EACH SENSOR SHALL BE COILED INSIDE THE CABINET. ALL LOOPS AND PIEZOS SHALL BE LABELED IN ALL JUNCTION BOXES AND CABINET. DIVISION OF PLANNING PERSONNEL WILL CONNECT THE LOOPS AND PIEZOS INSIDE THE CABINET.

INSTALL ONE (1) 1¼" CONDUIT FROM EACH SAW SLOT TO NEAREST JUNCTION BOX.

INSTALL ONE (1) TYPE A JUNCTION BOX (JB A1) AND ONE (1) TYPE B JUNCTION BOX (JB B1).

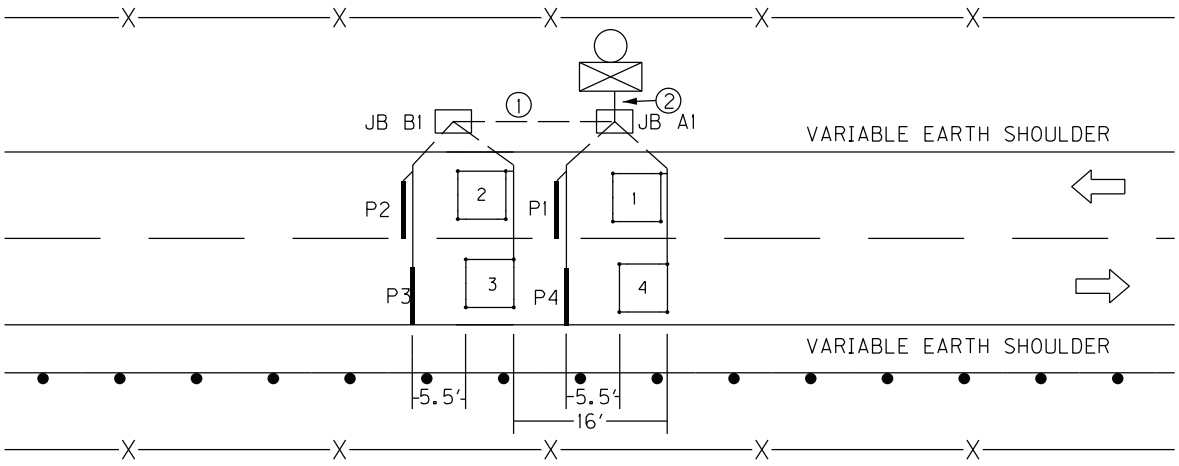
INSTALL ONE (1) 35' WOOD POLE (HEIGHT MAY NEED TO BE ALTERED IN THE FIELD) WITH ONE (1) ELECTRIC SERVICE.

INSTALL MODEL 336 CABINET (PROVIDED BY DIVISION OF PLANNING AND INCIDENTAL TO THE ELECTRICAL SERVICE) ON NEWLY INSTALLED POLE.

CODED NOTES:

① INSTALL ONE (1) 1¼" CONDUIT.

② INSTALL ONE (1) 2" CONDUIT.



SCALE 1"=

PERMANENT TRAFFIC DATA ACQUISITION STATIONS
ESTIMATE OF QUANTITIES

Bid Item Code	Description	Unit	Quantity
4793	CONDUIT 1 ¼ INCH	LIN FT	70
4795	CONDUIT 2 INCH	LIN FT	15
4811	ELECTRICAL JUNCTION BOX TYPE B	EACH	1
4820	TRENCHING AND BACKFILLING	LIN FT	80
4821	OPEN CUT ROADWAY	LIN FT	
4829	PIEZOELECTRIC SENSOR	EACH	4
4830	LOOP WIRE	LIN FT	900
4833	WIRE – NO. 8	LIN FT	
4834	WIRE – NO. 6	LIN FT	
4850	CABLE NO. 14/1 PAIR	LIN FT	
4871	POLE – 35’ WOODEN	EACH	1
4895	LOOP SAW SLOT AND FILL	LIN FT	180
4899	ELECTRICAL SERVICE	EACH	1
4960	REMOVE AND REPLACE SIDEWALK	SQYD	
20213EC	INSTALL PAD MOUNT ENCLOSURE	EACH	
20359NN	GALVANIZED STEEL CABINET	EACH	
20360ES818	WOOD POST	EACH	
20391NS835	ELECTRICAL JUNCTION BOX TYPE A	EACH	1
20392NS835	ELECTRICAL JUNCTION BOX TYPE C	EACH	
20468EC	ELECTRICAL JUNCTION BOX 10x8x4	EACH	
21543EN	BORE AND JACK CONDUIT – 2 INCH	LIN FT	
23206EC	INSTALL CONTROLLER CABINET	EACH	
24963ED	LOOP TEST	EACH	

MATERIAL, INSTALLATION, AND BID ITEM NOTES FOR PERMANENT TRAFFIC DATA ACQUISITION STATIONS

1. DESCRIPTION

Except as specified in these notes, all work shall consist of furnishing and installing all materials necessary for permanent data acquisition station equipment installation(s) and shall be performed in accordance with the current editions of:

- The Contract
- Division of Planning Standard Detail Sheets
- Kentucky Transportation Cabinet, Department of Highways, *Standard Specifications for Road and Bridge Construction*
- Kentucky Transportation Cabinet, Department of Highways, Standard Drawings
- National Fire Protection Association *(NFPA) 70: National Electrical Code*
- Institute of Electrical and Electronic Engineers (IEEE), *National Electrical Safety Code*
- Federal Highway Administration, *Manual on Uniform Traffic Control Devices*
- American Association of State Highway and Transportation Officials (AASHTO), *Roadside Design Guide*.
- Standards of the utility company serving the installation, if applicable

The permanent traffic data acquisition station layout(s) indicate the extent and general arrangement of the proposed installation and are for general guidance. Any omission or commission shown or implied shall not be cause for deviation from the intent of the plans and specifications. Information shown on the plans and in this proposal and the types and quantities of work listed are not to be taken as an accurate or complete evaluation of the material and conditions to be encountered during construction. The bidder must draw his own conclusion as to the conditions encountered. The Department of Highways (Department) does not give any guarantee as to the accuracy of the data and no claim will be considered for additional compensation if the conditions encountered are not in accordance with the information shown. If any modifications of the plans or specifications are considered necessary by the Contractor, details of such modifications and the reasons, therefore, shall be submitted in writing to the Engineer for written approval prior to beginning such modified work.

The Contractor shall contact all utility companies and the district utility agent prior to beginning construction to insure proper clearance and shielding from existing and proposed utilities. The Contractor shall use all possible care in excavating on this project so as not to disturb any existing utilities whether shown on the plans or not shown on the plans. Any utilities disturbed or damaged by the Contractor during construction shall be replaced or repaired to original condition by the Contractor at no cost to the department. If necessary, to avoid existing utilities, the Contractor shall hand dig areas where poles or conduit cross utilities.

The Contractor shall be responsible for all damage to public and/or private property resulting from his work.

The Contractor shall inspect the project site prior to submitting a bid and shall be thoroughly familiarized with existing conditions. Submission of a bid will be considered an affirmation of this inspection having been completed. The Department will not honor any claims resulting from site conditions.

2. MATERIALS

All proposed materials shall be approved prior to being utilized. The Contractor shall submit for material approval an electronic file of descriptive literature, drawings and any requested design data for the proposed materials. After approval, no substitutions of any approved materials may be made without the written approval of the Engineer.

Materials requiring sampling shall be made available a sufficient time in advance of their use to allow for necessary testing.

2.1. Anchoring

2.1.1. Anchor and Anchor Rod

Anchor, except rock anchor, shall be expanding type, with a minimum area of 135 square inches.

Anchor rod shall be galvanized steel, double-eye, have a minimum diameter of 5/8 inches, and a minimum length of 84 inches. Minimum holding capacity shall be 15,400 lbs.

Rock anchor shall be galvanized steel, triple-eye, expanding type, with a minimum diameter of ¾ inch, a minimum 53 inches long, and a minimum tensile strength of 23,000 lb.

2.1.2. Guy Wire and Guy Guard

Guy wire shall be Class A, Zinc-coated, 3/8 inch diameter, high strength grade steel (minimum 10,800 lb.) and galvanized per ASTM A475. Guy guard shall be 8’ long, fully-rounded, yellow, and able to be securely attached to the guy wire.

2.1.3. Strandvise for Guy Wire

Strandvise for guy wire shall be 3/8 inch and rated to hold a minimum of 90% of the rated breaking strength (RBS) of the strand used.

2.2. Asphalt

Asphalt shall be a minimum CL2 Asph Surf 0.38B PG64-22 and conform to the *Standard Specifications for Road and Bridge Construction.*

2.3. Backer Rod

Backer rod shall be ½ inch diameter, closed cell polyethylene foam and shall meet or exceed the following physical properties:

- Density (average): 2.0 lbs/cu.ft. (minimum): ASTM D 1622 test method
- Tensile Strength: 50 PSI (minimum): ASTM D 1623 test method
- Compression Recovery: 90% (minimum): ASTM D 5249 test method
- Water Absorption: 0.03 gm/cc (maximum): ASTM C 1016 test method

2.4. Cabinets

2.4.1. Galvanized Steel Cabinet

Galvanized Steel Cabinet shall be constructed of 16 or 14 gauge galvanized steel and shall meet or exceed the industry standards set forth by UL 50 and NEMA 3R. The finish shall be an ANSI 61 gray polyester powder finish inside and out over the galvanized steel. Cabinet shall have minimum inside dimensions of 20 inches high by 20 inches wide by 8 inches deep.

The cabinet shall be equipped with the following:

- Drip shield top
- Seam-free sides, front, and back, to provide protection in outdoor installations against rain, sleet, and snow
- Hinged cover with 16 gauge galvanized steel continuous stainless steel pin.
- Cover fastened with captive plated steel screws, knob or latch
- Hasp and staple for padlocking
- No gaskets or knockouts
- Back panel for terminal block installation
- Post mounting hardware
- Terminal Blocks

2.4.2. Anchor Bolt for Pad Mounted Cabinet

Anchor bolt for pad mounted cabinet shall be galvanized steel with minimum dimensions of 3/8 inch by 6 inches.

2.5. Concrete

Concrete shall be Class A and conform to the *Standard Specifications for Road and Bridge Construction.*

2.6. Conduit and Conduit Fittings

Conduit and conduit fittings shall be rigid steel unless otherwise specified.

Conduit shall be zinc galvanized inside and out and conform to the NEC, UL Standard 6, and ANSI C-80.1.

Rigid Steel Conduit Fittings shall be galvanized inside and out and conform to the NEC, UL Standard 514B, and ANSI C-80.4. Intermediate Metal Conduit (IMC) will not be approved as an acceptable alternative to rigid steel conduit.

2.7. Conduit sealant

Conduit sealant shall be weather-, mold-, and mildew-resistant and chemically resistant to gasoline, oil, dilute acids and bases. Conduit sealant shall be closed cell type and shall meet or exceed the following properties:

- Cure Time — 20 minutes max.
- Density — 64.4 kg/m3; 6 lbs/ft3
- Compressive Strength (ASTM 1691) — 13.8 MPa; 330 or 300 psi

- Tensile Strength (ASTM 1623) 15.9 MPa; 270 or 250 psi
- Flexural Strength (ASTM D790) 14.5 MPa; 460 or 450 psi
- Service Temperature -20 to 200 F

2.8. Electrical Service Meter Base

Electrical service meter base shall meet or exceed all requirements of the National Electrical Code and the local utility providing the electrical service.

2.9. Electrical Service Disconnect

Electrical service disconnect shall meet or exceed all requirements of the National Electrical Code and the local utility providing the electrical service.

2.10. Flashing Arrow

Flashing Arrow shall conform to the *Standard Specifications for Road and Bridge Construction.*

2.11. Ground Fault Circuit Interrupter (GFCI) Receptacle

Ground Fault Circuit Interrupter Receptacle shall be 2-pole, 3-wire, 20 Amp, 125 Volt, 60 Hz, NEMA 5-20R configuration and meet or exceed the following standards and certifications:

- NEMA WD-1 and WD-6
- UL 498 and 943
- NOM 057
- ANSI C-73

This item shall include a UL listed, 4 inch x4 inch x $2^{1}/_{8}$ inch box with ¾ inch side and end knockouts and a 1½ inches deep, single-receptacle cover to house the GFCI receptacle. Box and cover shall be hot rolled, galvanized steel with a minimum thickness of 0.62 inches.

2.12. Grounding

2.12.1. Ground Rod

Ground Rod shall be composite shaft consisting of a pure copper exterior (5 mil minimum) that has been inseparably molten welded to a steel core. Ground Rod shall have a minimum diameter of 5/8 inch, a minimum length of 8 feet and shall be manufactured for the sole purpose of providing electrical grounding.

2.12.2. Ground Rod Clamp

Ground rod shall be equipped with a one piece cast copper or bronze body with a non-ferrous hexagonal head set screw and designed to accommodate a 10 AWG solid through 2 AWG stranded grounding conductor.

2.13. Grout

2.13.1. Grout for Inductive Loop Installation

Grout for inductive loop installation shall be non-shrink, shall meet the requirements of the *Standard Specifications for Road and Bridge Construction*,

and shall be included on the KYTC Division of Materials, *List of Approved Materials*.

2.13.2. Grout for Piezoelectric Sensor Installation

Grout for piezoelectric sensor installation shall be per the piezoelectric sensor manufacturer's recommendation. Grout shall be suitable for installation in both asphalt and Portland cement pavements. Grout shall have a short curing time (tack free in ten minutes; open to traffic in forty minutes; and fully cured within sixty minutes) to prevent unnecessary lane closure time and should be of sufficient consistency to prevent running when applied on road surfaces with a drainage cross slope. Particulate matter within the grout shall not separate or settle and the grout shall not shrink during the curing process.

2.14. Hardware

Except where specified otherwise, all hardware such as nuts, bolts, washers, threaded ends of fastening devices, etc. with a diameter less than 5/8 inch shall be passivated stainless steel, alloy type 316 or type 304. Stainless steel hardware shall meet ASTM F593 and F594 for corrosion resistance. All other nuts and bolts shall meet ASTM A307 and shall be galvanized.

2.14.1. Conduit Strap

Conduit strap shall be double-hole, stainless steel, and sized to support specified conduit. Conduit strap shall attach to wood pole or post with two 2 ¼ inch wood screws.

2.14.2. Mounting Strap for Pole Mount Cabinet

Mounting strap for pole mount cabinet shall be ¾ inch x 0.03 inch stainless steel; equipped with clips or buckles to securely hold strap.

2.14.3. Metal Framing Channel and Fittings

Metal framing channel shall be 1 5/8 inches wide galvanized steel that conforms to ASTM A1011 and ASTM A653. One side of the channel shall have a continuous slot with in-turned edges to accommodate toothed fittings.

Fittings shall be punch pressed from steel plates and conform to ASTM A575 and the physical requirements of ASTM A1011.

2.15. Junction Box

2.15.1. Junction Box Type A, B, or C

Junction Box Type A, B, or C shall meet or exceed ANSI/SCTE 77-2007, Tier 15. Box shall have an open bottom. A removable, non-slip cover marked "PLANNING" shall be equipped with a lifting slot and attached with a minimum of two 3/8 inch stainless steel hex bolts and washers. Type A Box shall have nominal inside dimensions of 13 inches wide by 24 inches long by 18 inches deep. Type B Box shall have nominal inside dimensions of 11 inches wide by 18 inches long by 12

inches deep. Type C Box shall have nominal inside dimensions of 24 inches wide by 36 inches long by 30 inches deep.

2.15.2. Aggregate for Junction Box Type A, B, or C

Aggregate for junction box type A, B, or C shall be gradation size no. 57 and conform to the *Standard Specifications for Road and Bridge Construction*.

2.15.3. Junction Box 10x8x4

Junction Box Type 10x8x4 shall be constructed of a UV-stabilized, nonmetallic material or non-rusting metal and be weatherproof in accordance with NEMA 4X. Box shall be equipped with an overhanging door with a continuous durable weatherproof gasket between the body and door. Door shall be hinged with screws, hinge(s) and pin(s) and shall be equipped with a padlockable latch on the side opposite the hinge(s). Junction Box 10x8x4 shall have minimum inside dimensions of 10 inches high by 8 inches wide by 4 inches deep.

2.16. Maintain and Control Traffic

Materials for the bid item Maintain and Control Traffic shall conform to the *Standard Specifications for Road and Bridge Construction,* and the KYTC Department of Highways *Standard Drawings*.

2.17. Piezoelectric Sensor

Piezoelectric sensor (piezo) shall provide a consistent level voltage output signal when a vehicle axle passes over it, shall have a shielded transmission cable attached, and shall meet the following requirements:

- Dimensions: such that sensor will fit in a ¾ inch wide by 1 inch deep saw cut. Total length shall be 6 feet unless specified otherwise.
- Output uniformity: ± 7% (maximum)
- Typical output level range: 250mV (minimum) from a wheel load of 400 lbs.
- Working temperature range: -40° to 160° F.
- Sensor life: 30 million Equivalent Single Axle Loadings (minimum)

Shielded transmission cable shall be coaxial and shall meet the following requirements:

- RG 58C/U with a high density polyethylene outer jacket rated for direct burial
- Length shall be a minimum of 100 feet. Installations may exceed 100 feet so the piezo shall be supplied with a lead-in of appropriate length so that the cable can be installed splice-free from the piezo to the cabinet.
- Soldered, water resistant connection to the sensor.

One installation bracket for every 6 inches of sensor length shall also be supplied. Piezo shall be a RoadTrax BL Class I or approved equal.

2.18. Saw Slot Sealant

Saw Slot Sealant shall be non-shrink, non-stringing, moisture cure, polyurethane

encapsulant suitable for use in both asphalt and concrete pavements. It shall provide a void-free encapsulation for detector loop cables and adequate compressive yield strength and flexibility to withstand heavy vehicular traffic and normal pavement movement.

The cured encapsulant shall meet or exceed the following:

- Hardness (Indentation): 35-65 Shore A, ASTM D2240
- Tensile Strength: 150 psi minimum, ASTM D412
- Elongation: 125% minimum 2 inch/minute pull, ASTM D412
- Tack-free Drying Time: 24 hours maximum, ASTM C679
- Complete Drying Time: 30 hours maximum, KM 64-447
- Chemical Interactions (seven day cure at room temperature, 24-hour immersion, KM 64-446):
  - Motor Oil: No effect
  - Deicing Chemicals: No effect
  - Gasoline: Slight swell
  - Hydraulic Brake Fluid: No effect
  - Calcium Chloride (5%): No effect

2.19. Seeding and Protection

Material for Seeding and Protection shall be Seed Mixture Type I and conform to the *Standard Specifications for Road and Bridge Construction*.

2.20. Signs

Materials for signs shall conform to the *Standard Specifications for Road and Bridge Construction.*

2.21. Splicing Materials

2.21.1. Electrical Tape

Electrical tape shall be a premium grade, UL-listed, all-weather, vinyl-insulating tape with a minimum thickness of 7 mil. Tape shall be flame retardant and resistant to abrasion, moisture, alkalis, acids, corrosion, and weather (including ultraviolet exposure).

2.21.2. Splice Kit

Splice kit shall be inline resin-type and rated for a minimum of 600V. Resin shall be electrical insulating-type and shall provide complete moisture and insulation resistance.

2.22. Steel Reinforcing Bar

Steel reinforcing bar shall be #5 and shall conform to the *Standard Specifications for Road and Bridge Construction.*

2.23. Terminal Block

Terminal block shall be rated for a minimum of 300 V and have a minimum of six

terminal pairs with 9/16-inch nominal spacing (center to center) for connecting loop and piezoelectric sensor wires to cable assemblies. Terminal block shall have screw type terminal strips to accommodate wire with spade-tongue ends.

2.24. Warning Tape

Warning tape shall be acid and alkali resistant formulated for direct burial. Tape shall be a minimum of 3 inches wide by 4.0 mils (nominal) thick, and shall be permanently imprinted with a minimum 1 inch black legend on a red background warning of an electric line. Tape shall meet or exceed the following industry specifications:

- American Gas Association (AGA) 72-D-56
- American Petroleum Institute (API) RP 1109
- American Public Works Association (APWA) Uniform Color Code
- Department of Transportation (DOT) Office of Pipeline Safety USAS B31.8
- Federal Gas Safety Regulations S 192-321 (e)
- General Services Administration (GSA) Public Buildings Service Guide: PBS 4-1501, Amendment 2
- National Transportation Safety Board (NTSB) PSS 73-1
- Occupational Safety and Health Administration (OSHA) 1926.956 (c) (1)

2.25. Wire and Cable

All cable and wire shall be plainly marked in accordance with the National Electrical Code (NEC).

2.25.1. Loop Wire

Loop wire shall be 14 AWG, stranded, copper, single conductor, and shall conform to the International Municipal Signal Association (IMSA) Specification No. 51-7.

2.25.2. Cable No. 14/1 Pair

Cable No. 14/1 pair loop lead-in cable shall be 14 AWG, stranded, copper paired, electrically shielded conductors, and shall conform to IMSA 19-2.

2.25.3. Grounding conductor

Grounding conductor and bonding jumper shall be solid or stranded, 4 AWG bare copper.

2.25.4. Service Entrance Conductor

Service entrance conductor shall be stranded, copper, Type USE-2, sized as required to comply with the NEC.

2.25.5. Terminal for electrical wire or cable

Terminal for electrical wires or cables shall be insulated, solderless, spade tongue terminals of correct wire and stud size. Terminal for electrical wires or cables shall be incidental to the wire or cable (including piezoelectric sensor transmission cable) to be connected to terminal strips.

2.26. Wood Post

Wood post shall be Southern Pine pretreated to conform to the American Wood Preservers' Association (AWPA) C-14 or UC4B and shall have minimum dimensions of 4 inches by 4 inches by 8 feet long (for Galvanized Steel Cabinet) or 4 feet long (for Junction Box 10x8x4), sawed on all four sides with both ends square.

2.27. Wooden Pole

Wooden pole shall be a Class IV wood pole of the length specified and shall conform to the *Standard Specifications for Road and Bridge Construction* except the pole shall be treated in accordance with AWPA P9 Type A.

3. CONSTRUCTION METHODS

The plans indicate the extent and general arrangement of the installation and are for guidance. When the Contractor deems any modifications to the plans or specifications necessary, details of such changes and the reasons shall be submitted in writing to the engineer for written approval prior to beginning the modified work.

After the project has been let and awarded, the Division of Construction shall notify the Division of Planning of the scheduled date for a Pre-Construction meeting so that prior arrangements can be made to attend. This will allow the Division of Planning an opportunity to address any concerns and answer any questions that the Contractor may have before beginning the work.

The Division of Planning Equipment Management Team (502-564-7183) shall be notified a minimum of seven days before any work pertaining to these specifications begins to allow their personnel the option to be present during installation.

Unless otherwise specified, installed materials shall be new.

Construction involving the installation of loops or piezoelectric sensors shall not be performed when the temperature of the pavement is less than 38ºF.

A final inspection will be performed by a member of the Central Office Division of Planning equipment staff after the installation is complete to verify that the installation is in compliance with the plans and specifications.

Any required corrective work shall be performed per the *Standard Specifications for Road and Bridge Construction.*

3.1. Anchoring

Furnish: Anchor, anchor rod, guy wire, strand vise, guy guard.

Anchor shall be installed in relatively dry and solid soil. Rock anchor shall be installed in solid rock. Excavate the hole at a 45° to 60° angle in line with the guy (hole size shall be slightly larger than the expanded anchor – see manufacturer's recommendation). Attach rod to anchor, install assembly into hole, and expand anchor. Backfill and tamp entire disturbed area. The effectiveness of the anchor is dependent upon the thoroughness of backfill tamping. Attach guy to strand vise on pole and anchor rod and tighten to required tension. Install guy guard on guy.

3.2. Bore and Jack Pipe – 2"

Furnish: Steel Encasement Pipe, 2"

Bore and jack pipe – 2" shall conform to the Section 706 of the *Standard Specifications for Road and Bridge Construction*.

3.3. Cleanup and Restoration

Furnish: Seed Mix Type 1 (as required); fertilizer (as required); agricultural limestone (as required); mulch or hydromulch (as required); tackifier (as required).

The Contractor shall be responsible for repairing any damage to public and/or private property resulting from his work. Upon completion of the work, restore all disturbed highway features in like kind design and materials. This shall include filling any ruts and leveling ground appropriately. Contractor shall dispose of all waste and debris off the project. Sow all disturbed earthen areas with Seed Mix Type 1 per Section 212 of the *Standard Specifications for Road and Bridge Construction*. All materials and labor necessary for cleanup and restoration shall be considered incidental to other bid items.

3.4. Conduit

Furnish: Conduit; conduit fittings; bushings (grounding where required); LB condulets (as required); weatherheads (as required); conduit straps; hardware; conduit sealant.

Conduit that may be subject to regular pressure from traffic shall be laid to a minimum depth of 24 inches below grade. Conduit that will not be subject to regular pressure from traffic shall be laid to a minimum depth of 18 inches below grade.

Conduit ends shall be reamed to remove burrs and sharp edges. Cuts shall be square and true so that the ends will butt together for the full circumference of the conduit. Tighten couplings until the ends of the conduit are brought together. Do not leave exposed threads. Damaged portions of the galvanized surfaces and untreated threads resulting from field cuts shall be painted with an Engineer-approved, rust inhibitive paint. Conduit bends shall have a radius of no less than 12 times the nominal diameter of the conduit, unless otherwise shown on the plans.

Contractor shall install a bushing (grounding bushing where required) on both ends of all conduits. Cap spare conduits on both ends with caps or conduit sealant.

Conduit openings in junction boxes and cabinets shall be waterproofed with a flexible, removable conduit sealant, working it around the wires, and extending it a minimum 1 inch into the end of the conduit.

After the conduit has been installed and prior to backfilling, the conduit installation shall be inspected and approved by the Engineer.

3.5. Electrical Service

Furnish: Meter base, service disconnect, wire, GFCI AC duplex receptacle with box and cover; conduit, conduit fittings, bushings (grounding where required); LB condulets (as required); weatherhead; conduit straps; hardware; conduit sealant; ground rod with clamp; grounding conductor.

Prior to any construction, the Contractor shall initiate a work order with the local power

company for the installation of electrical service to the site. A representative from the Division of Planning and the local power company shall be consulted prior to choosing an exact location for the pole. The Contractor shall clear the right-of-way for the electrical service drop.

Contractor shall obtain electrical inspections, memberships, meter base, service disconnect and any other requirements by the utility serving the installation and pay all fees as required.

Install meter-base and disconnect panel with a 30-ampere, fused, circuit breaker inside. Install a manufactured weatherproof hub connector to connect the conduit to the top of the meter base and service disconnect.

Install a rigid ¾ inch conduit with three 8 AWG service conductors from the cabinet, through the service disconnect to the meter base and a 1¼" conduit with three 8 AWG service conductors from the meter base to a weatherhead two feet from the top of the electrical service pole. Install conduit straps 30 inches on center and provide a drip loop where the wire enters the weatherhead. Splice electric drop with service entrance conductors at the top of the pole.

The limit of conduit incidental to "Install Electrical Service" for a pad mounted cabinet is 24 inches beyond face of service pole.

Install a 120-volt, 20-amp GFCI AC duplex receptacle with box and cover in the automatic data recorder (ADR) cabinet.

Install a ground rod with clamp. Install a grounding conductor wire from the meter base, through the disconnect panel, to the ground rod clamp. Install grounding conductor in 1-¾" conduit from service disconnect to ground rod.

After completing the installation and before the electrical service is connected, obtain a certificate of compliance from the Kentucky Department of Housing, Buildings and Construction, Electrical Inspection Division.

3.6. Flashing Arrow

Furnish: Arrow Panel

Construction of Flashing Arrow shall conform to the *Standard Specifications for Road and Bridge Construction.*

3.7. Galvanized Steel Cabinet

Furnish: Cabinet; wood posts; concrete; conduit fittings; metal framing channel; pipe clamp; terminal block(s); spade tongue wire terminals; wire labels; hardware.

Where right-of-way allows, locate the cabinet such that it is outside the clear zone in accordance with the *Roadside Design Guide*. Install Cabinet such that the door of the

cabinet faces the roadway.

Excavate as required and install wood posts to a depth of 36 inches and place concrete around posts as shown on the standard detail sheets. Install metal framing channel with pipe clamp between posts.

Install Cabinet on wood posts 38 inches above the finished grade as shown on the standard detail sheets. Install a unistrut between posts when two posts are specified.

Install the required number of terminal blocks on the cabinet back plate. Install a spade tongue terminal on each loop and piezo sensor wire entering the cabinet and connect wires to terminal block(s). Wiring shall be neat and orderly. Label all wires and cables inside cabinet.

Install conduit from ground to cabinet and attach to pipe clamp. Install locknuts to attach conduit to cabinet and install a conduit bushing as shown on the standard detail sheets.

3.8. Grounding

Furnish: Ground rod with clamp; grounding conductor.

At sites with electrical or solar service, all conduits, poles, and cabinets shall be bonded to ground rods and the electrical system ground to form a complete grounded system.

Install such that top of ground rod is a minimum of 3 inches below finished grade.

Grounding systems shall have a maximum 25 ohms resistance to ground. If the resistance to ground is greater than 25 ohms, two or more ground rods connected in parallel shall be installed. Adjacent ground rods shall be separated by a minimum of 6 feet.

3.9. Install Pad Mount Enclosure

Furnish: Concrete; anchor bolts with washers and nuts; conduit; conduit fittings; conduit grounding bushings; ground rod with clamp; grounding conductor; conduit sealant; wooden stakes (where required); wire labels; hardware.

The Contractor shall be responsible for securing the enclosure from the Central Office Division of Planning Warehouse in Frankfort and transporting it to the installation site.

Where right-of-way allows, locate the enclosure such that it is outside the clear zone in accordance with the *Roadside Design Guide*.

Excavate as required, and place concrete to construct the enclosure foundation as specified on the standard detail sheets. Install enclosure on the concrete base such that the door(s) of the enclosure opens away from traffic (hinges away from traffic). Install anchor bolts, washers, and nuts to secure the enclosure to the foundation.

Install ground rod with clamp and install one ¾ inch rigid conduit from enclosure base to

ground rod. Install a grounding conductor from ground rod to enclosure base and bond to each conduit bushing in the base.

Install one ¾ inch rigid steel conduit for electrical service from the base of the enclosure to 24 inches beyond the concrete base. Make all field wiring connections to the electrical service, as applicable.

If electrical service is not provided as a bid item in the contract, plug conduit on both ends with a cap, conduit sealant, or electrical tape. Mark the location of the buried conduit end with a wooden stake labeled "3/4 in. conduit."

Install specified rigid steel conduit(s) into the base of the enclosure for sensor wire entry. Install one spare 2-inch conduit from the enclosure base to 2 feet beyond the concrete base. Plug spare conduit on both ends with a cap, conduit sealant or electrical tape.

The limit of all conduits incidental to "Install Pad Mount Enclosure" is 24 inches beyond the edge of the concrete base.

Wiring in enclosure shall be neat and orderly. Label all wires and cables inside enclosure. KYTC personnel will furnish and install terminal blocks and connect sensors to terminal blocks.

3.10. Install Controller Cabinet

Furnish: Mounting brackets; mounting straps; conduit; LB condulets; conduit fittings; conduit grounding bushings; ground rod with clamp; grounding conductor; cable staples; conduit sealant; wooden stakes (where required); wire labels; hardware.

The Contractor shall be responsible for securing the cabinet from the Central Office Division of Planning Warehouse in Frankfort and transporting it to the installation site. Any existing holes in the cabinet not to be reused shall be covered or plugged to meet NEC requirements.

Install mounting brackets and secure cabinet to pole with mounting straps.

Install a ground rod with clamp. Install grounding conductor in 1-¾" conduit form cabinet to ground rod.

Install one ¾ inch rigid steel conduit with two lb. condulets from cabinet to electrical service disconnect box. Make all field wiring connections to the electrical service, as applicable.

If electrical service is not provided as a bid item in the contract, plug conduit on both ends with cap, plumbers putty, conduit sealant, or electrical tape. Mark the location of the buried conduit end with a wooden stake labeled "3/4 in. conduit".

Install specified rigid steel conduit(s) and type LB condulet(s) into the bottom of the

cabinet for sensor wire entry. The limit of conduits incidental to "Install Controller Cabinet" is 24 inches beyond the face of the pole.

Wiring in cabinet shall be neat and orderly. Label all wires and cables inside cabinet. KYTC personnel will furnish and install terminal blocks and connect sensors to terminal blocks.

3.11. Junction Box Type 10x8x4

Furnish: Junction box; wood post; conduit fittings; wire labels; hardware.

Where right-of-way allows, locate the junction box such that it is outside the clear zone in accordance with the Roadside Design Guide.

Excavate as required and install wood post(s) to a depth of 18 inches. Install junction box on wood post such that the bottom of the box is 18 inches above the finished grade as shown on the standard detail sheets. Box shall be installed with four (4) 2½ inch wood screws and washers.

Install locknuts to attach conduit to junction box and install a conduit bushing as shown on the standard detail sheets.

Wiring inside box shall be neat and orderly. Label all wires and cables inside box.

3.12. Junction Box Type A, B, or C

Furnish: Junction box, No. 57 aggregate; grounding conductor

Excavate as required and place approximately 12 inches of No. 57 aggregate beneath the proposed junction box to allow for drainage. Install specified junction box type A, B, or C near the edge of pavement, flush with finished grade per the detail sheets. Where required, orient the box so that the dimensions comply with the National Electrical Code. Stub conduits with grounding bushings into junction box at its base to accommodate wires and connect grounding conductor to all grounding bushings. Backfill to existing grade, and restore disturbed area to the satisfaction of the Engineer.

Wiring inside box shall be neat and orderly. Label all wires and cables inside box.

3.13. Loops - Proposed

Furnish: Wire; saw slot sealant; backer rod; grout; conduit sealant.

The plans and notes specify the approximate location for loop installations. Prior to sawing slots or drilling cores, the Contractor shall meet with a representative of the Division of Planning to verify the precise layout locations on site. Avoid expansion joints and pavement sections where potholes, cracks, or other roadway flaws exist.

Upon completion of this meeting, the Contractor shall measure out and mark the proposed loop locations with spray paint or chalk such that the saw slots will be parallel

and perpendicular to the direction of traffic. Marked lines shall be straight and exact to the locations determined and sized as shown on the plans. Unless indicated otherwise, loops shall be 6 feet by 6 feet square and loops in the same lane shall be spaced 16 feet from leading edge to leading edge.

On resurfacing, rehabilitation, and new construction projects that include new asphalt pavement, the Contractor shall install loops prior to laying the final surface course. On projects with milling and texturing, the Contractor may install the loops prior to or after the milling operation; however, if installed prior to milling, the Contractor shall be responsible for ensuring that the loops are installed at a depth such that the milling operation will not disturb the newly installed loops. The Contractor shall correct damage caused by the milling operations to newly installed loops prior to placement of the final surface course at no additional cost to the Cabinet.

For projects that include the installation of new asphalt and piezoelectric sensors, the Contractor shall mark or otherwise reference all loops installed prior to the final surface course such that the loops can be accurately located when the piezoelectric sensors are installed after placement of the final surface course.

For projects that do not have asphalt surfacing, the Contractor shall install the loops in the surface of the pavement.

The Prime Contractor shall coordinate the installation of loops with the electrical sub-Contractor and the Engineer to ensure correct operation of the completed installation.

The following is a typical step by step procedure for the installation of a loop.

- Carefully mark the slot to be cut, perpendicular to the flow of traffic and centered in the lane.
- Make each saw-cut 3/8-inch wide and at a depth such that the top of the backer rod is a minimum of 2 inches below the surface of rigid (PCC/Concrete) pavement or 4 inches below the surface of asphalt pavement.
- Drill a 1½ inch core hole at each corner and use a chisel to smooth corners to prevent sharp bends in the wire.
- Clean ALL foreign and loose matter out of the slots and drilled cores and within 1 foot on all sides of the slots using a high-pressure washer.
- Completely dry the slots and drilled cores and within 1 foot on all sides of the slots using oil-free forced air, torpedo heaters, electric heaters, or natural evaporation, depending on weather conditions. Be very careful not to burn the asphalt if heat is used.
- Measure 9-12 inches from the edge of the paved surface (shoulder break or face of curb) and drill a 1½ inch hole on a 45º angle to the conduit adjacent to the roadway.
- Closely inspect all cuts, cores, and slots for jagged edges or protrusions prior to the placement of the wire. All jagged edges and protrusions shall be ground or re-cut and cleaned again.

- Place the loop wire splice-free from the termination point (cabinet or junction box) to the loop, continue around the loop for four turns, and return to the termination point.
- Push the wire into the saw slot with a blunt object such as a wooden stick. Make sure that the loop wire is pushed fully to the bottom of the saw slot.
- Install conduit sealant to a minimum of 1" deep into the cored 1½ inch hole.
- Apply loop sealant from the bottom up and fully encapsulate the loop wires in the saw slot. The wire should not be able to move when the sealant has set.
- Cover the encapsulated loop wire with a continuous layer of backer rod along the entire loop and home run saw slots such that no voids are present between the loop sealant and backer rod.
- Finish filling the saw cut with non-shrinkable grout per manufacturer's instructions. Alleviate all air pockets and refill low spaces. There shall be no concave portion to the grout in the saw slot. Any excess grout shall be cleaned from the roadway to alleviate tracking.
- Clean up the site and dispose of all waste off the project.
- Ensure that the grout has completely cured prior to subjecting the loop to traffic. Curing time varies with temperature and humidity.

Exceptions to installing loop wire splice-free to the junction box or cabinet may be considered on a case-by-case basis and must be pre-approved by the Engineer. If splices are allowed, they shall be located in a junction box and shall conform to the construction note for Splicing.

If loop lead-in cable (Cable No. 14/1 Pair) is specified, cable shall be installed splice free to the cabinet ensuring that extra cable is left in each junction box or cabinet. All wires and cables shall be labeled in each junction box and cabinet.

Loop inductance readings shall be between 100 and 300 microhenries. The difference of the loop inductance between two loops in the same lane shall be ±20 microhenries. Inductance loop conductors shall test free of shorts and grounds. Upon completion of the project, all loops must pass an insulation resistance test of a minimum of 100 million ohms to ground when tested with a 500 Volt direct current potential in a reasonably dry atmosphere between conductors and ground.

3.14. Loop Test

When noted on a data collection station layout sheet that there are existing inductive loops within the limits of the project, notify the Engineer in writing, a minimum of 14 calendar days prior to beginning milling operations. After milling and prior to placing asphalt inlay, conduct an operating test on the existing inductance loops at the control cabinet in the presence of the Engineer to determine if the inductance loop conductors have an insulating resistance of a minimum of 100 megohms when tested with a 500-volt direct current potential in a reasonably dry atmosphere between conductors and ground. The Department may also conduct its own tests with its own equipment.

If the tests indicate the loop resistances are above the specified limit and the Engineer determines the system is operable, proceed with the asphalt inlay. If the test indicates the loop resistance is not within the specified limits or if the Engineer determines the system is otherwise not operable, prior to placing the asphalt inlay install and test new loop detectors according to the station layout, notes, and Detail Drawings.

The Engineer will contact and maintain liaison with the District Planning Engineer and the Division of Planning in order to coordinate any necessary work.

3.15. Maintain and Control Traffic

Furnish (all as required): Drums, traffic cones, barricades used for channelization purposes, delineators, and object markers.

Maintain and Control Traffic shall conform to the plans, the Standard Specifications for Road and Bridge Construction, and the KYTC Department of Highways Standard Drawings.

3.16. Open Cut Roadway

Furnish: Concrete, reinforcing bars.

Excavate trench by sawing and chipping away roadway to dimensions as indicated on the detail sheets. After placing conduit, install concrete and steel reinforcing bars per the *Standard Specifications for Road and Bridge Construction*. Restore any disturbed sidewalk to its original condition.

3.17. Piezoelectric Sensor

Furnish: Piezoelectric sensor and cable; sensor support brackets; saw slot sealant; backer rod; grout; conduit sealant.

The plans and notes specify the approximate location for piezoelectric sensor (piezo) installations. Prior to sawing slots or drilling cores, the Contractor shall meet with a representative of the Division of Planning to verify the final layout on site. Avoid expansion joints and pavement sections where potholes, cracks, or other roadway flaws exist. Roadway ruts at the proposed piezo location shall not be in excess of ½ inch under a 4-foot straight edge.

Install the piezo perpendicular to traffic in the final surface course of the pavement. Locate the sensor in the lane as shown on the site layout drawing. Eleven-foot length sensors shall be centered in the lane.

The following is a typical step by step procedure for the installation of a piezo. Refer specifically to the manufacturer’s instructions provided with the sensor prior to installation.

- Carefully mark the slot to be cut, perpendicular to the flow of traffic and properly positioned in the lane.

- It is strongly recommended that a ¾ inch wide diamond blade be used for cutting the slot, or that blades be ganged together to provide a single ¾ inch wide cut. The slot shall be wet cut to minimize damage to the pavement.
- Cut a slot ¾ inch wide (±1/16 inch) by 1 inch minimum deep. The slot should be a minimum of 2 inches longer than the sensor (including the lead attachment). Drop the saw blade an extra ½ inch down on both ends of the sensor. The lead out of the passive cable should be centered on the slot.
- Cut the slot for the passive cable ¼ inch wide and at a depth so that the top of the backer rod is a minimum of 2 inches below the road surface.
- Clean ALL foreign and loose matter out of the slot and within 1 foot on all sides of the slot using a high-pressure washer.
- Completely dry the slot and within 1 foot on all sides of the slot using oil-free forced air, torpedo heaters, electric heaters, or natural evaporation, depending on weather conditions. Be very careful not to burn the asphalt if heat is used.
- Measure 9-12 inches from the edge of the paved surface (shoulder break or face of curb) and drill a 1½ inch hole on a 45º angle to the conduit adjacent to the roadway.
- Place strips of 2-4-inch-wide tape strips on the pavement along the lengths of both sides of the sensor slot, 1/8 inch away from the slot.
- Wear clean, protective latex (or equivalent) gloves at all times when handling sensors. Visually inspect sensor to ensure it is straight. Check lead attachment and passive cable for cuts, gaps, cracks and/or bare wire. Verify that the correct sensor type and length is being installed by checking the data sheet. Verify there is sufficient cable to reach the cabinet. Piezo lead-in cable shall not be spliced.
- Test the sensor for capacitance, dissipation factor and resistance, according to the directions enclosed with the sensor. Capacitance and dissipation should be within ±20% of the piezo data sheet. Resistance (using the 20M setting) should be infinite. Record the sensor serial number and the test results and label “pre-installation.” This information should be stored in the counter cabinet and/or returned to Department Planning personnel.
- Lay the sensor next to the slot and ensure that it is straight and flat.
- Clean the sensor with steel wool or an emery pad and wipe with alcohol and a clean, lint-free cloth.
- Place the installation bracket clips every 6 inches along the length of the sensor.
- Bend the tip of the sensor downward at a 30° angle. Bend the lead attachment end down at a 15° angle and then 15° back up until level (forming a lazy Z).
- Place the sensor in the slot, with the brass element 3/8 inch below the road surface along the entire length. The tip of the sensor should be a minimum of 2 inches from the end of the slot and should not touch the bottom of the slot. The top of the plastic installation bracket clips should be 1/8 inch below the surface of the road. The lead attachment should not touch the bottom or sides of the slot. Ensure the sensor ends are pushed down per the manufacturer’s instructions.
- Visually inspect the length of the sensor to ensure it is at uniform depth along its length and it is level (not twisted, canted or bent).

- On the passive cable end, block the end of the slot approximately 3-5 inches beyond the end of the lead attachment area creating an adequate "dam" so that the sensor grout does not flow out.
- Use one bucket of sensor grout per piezo installation. Overfill the slot with sensor grout and allow to cure for a minimum of 10 minutes before continuing with the installation. Ensure that sensor grout fills around and beneath the sensor completely and that there is not a trough on top.
- Remove the tape along the sides of the saw slot when the adhesive starts to cure.
- Carefully remove the dam from the end of the sensor.
- Route the lead-in cable through the saw slot
- Install conduit sealant to a minimum of 1" deep into the cored 1½ inch hole.
- Cover the lead-in cable with encapsulant, backer rod, and grout.
- If necessary, after the grout has hardened, grind with an angle grinder until the profile is a 1/16-inch mound. There shall be no concave portion to the mound.
- Clean up the site and dispose of all waste off the project.
- Ensure that the sensor grout has completely cured prior to subjecting the sensor to traffic. Curing time will vary with temperature and humidity.

Upon installation, test the sensor for capacitance, dissipation factor and resistance, according to the directions enclosed with the sensor. Capacitance and dissipation should be within ±20% of the piezo data sheet. Resistance (using the 20M setting) should be infinite. Perform a functional test of the piezo with an oscilloscope to ensure that the sensor is generating a proper response to the passage of vehicles.

Record the sensor serial number and the test results and label "post-installation." This information should be stored in the counter cabinet and/or returned to Department Planning personnel.

3.18. Pole – Wooden

Furnish: Pole; anchoring equipment (as required); hardware (as required).

Excavate and install wood pole to a minimum depth of one-sixth the total pole height. Place backfill material in hole and compact until flush with existing grade. Install guy wire, guy guard, anchor, anchor rod, and strand vise, if necessary. Anchor shall be a minimum of one-third the pole height from the face of the pole. Provide temporary erosion control, seeding, protection and restoration of disturbed areas to the satisfaction of the Engineer.

3.19. Removal of Existing Equipment

The Contractor shall remove existing materials (including but not limited to: poles, anchors, cabinets, junction boxes, conduit and wire) not to be reused. Contractor shall dispose of all removed materials off the project. All materials and labor necessary for the removal of existing equipment shall be considered incidental to other bid items.

3.20. Signs

Furnish: Signs; sign standards; hardware.

Construction of **s**igns shall conform to the *Standard Specifications for Road and Bridge Construction.*

3.21. Splicing

Furnish: Splice kit; solder.

These notes describe the splicing process (if permitted) and are not intended to grant permission to splice. Permission to splice shall be determined by the Division of Planning and the locations shall be shown on the layout sheet. If splicing is needed but not shown on the layout sheet, the Contractor shall receive prior written approval from the Division of Planning.

All splices shall conform to the provisions of the NEC.

Splices for loop and loop lead-in wire shall be twisted and soldered. Abrade the outer jacket of both wires to promote good adhesion and prevent capillary leak paths. Seal the splice with an electrical sealing resin. Spliced loop conductors shall test free of shorts and unauthorized grounds and shall have an insulating resistance of at least 100 megohms when tested with a 500-volt direct current potential in a reasonably dry atmosphere between conductors and ground.

For piezos, the same type coax cable, supplied by the manufacturer, shall be used to splice to the sensor's lead-in cable. Cables shall be soldered. Abrade the outer jacket of both cables to promote good adhesion and prevent capillary leak paths. Seal the splice with an electrical sealing resin. Spliced piezo cables shall be tested and have a minimum resistance of 20 megohms, a maximum dissipation factor of 0.03, a capacitance within the manufacturer's recommended range based upon the length of additional cable. A functional test of the piezo shall be performed to ensure that the sensor is generating a proper response to the passage of vehicles.

3.22. Trenching and Backfilling

Furnish: Warning tape; seed mix type I; cereal rye or German foxtail-millet; mulch; concrete (as required); asphalt (as required).

Excavate trench and provide required cover as shown on the standard detail sheets. After placing conduit, backfill material shall be placed and compacted in lifts of 9 inches or less. Install warning tape as shown on the detail sheet. Provide temporary erosion control, seeding, protection and restoration of disturbed areas to the satisfaction of the Engineer.

3.23. Wiring

Furnish: Wire; wire labels; spade tongue wire terminals (as required).

Installation of all wiring shall conform to the NEC. Permanent identification numbers

shall be affixed to all wires in all junction boxes and cabinets (see Layout(s) for loop and piezo numbers).

Additional lengths of each loop and piezo sensor wire shall be neatly coiled in all cabinets and junction boxes as follows:

Enclosure Type	Additional length of each wire
Galvanized Steel Cabinet	2’ – 3’
Pad Mount Cabinet (332)	6’ - 8’
Pole Mount Cabinet (336)	3’ - 4’
Junction Box Type 10x8x4	2’ – 3’
Junction Box Type A, B, or C	2’ – 3’

3.24. Wood Post

Furnish: Wood post; concrete (as required); seed mix type I; cereal rye or German foxtail-millet; mulch.

Excavate hole to specified depth and place concrete, if required. Install post, backfill to existing grade, and tamp backfill. Provide temporary erosion control, seeding, protection and restoration of disturbed areas to the satisfaction of the Engineer.

3.25. Remove and Replace Sidewalk

Furnish: Lumber, stakes, nails or screws, and concrete.

Remove existing sidewalk to install rigid conduit from edge of roadway to nearest junction box or cabinet. Form, pour and finish concrete in place of old existing sidewalk making sure to replace the expansion joints in their respective locations. Concrete shall conform to the *Kentucky Standard Specifications for Road and Bridge Construction* for sidewalks.

4. BID ITEM NOTES AND METHOD OF MEASUREMENT FOR PAYMENT

Only the bid items listed will be measured for payment. All other items required to complete the vehicle detection installation shall be incidental to other items of work. Payment at the contract unit price shall be full compensation for all materials, labor, equipment and incidentals to furnish and install these items.

4.1. Bore and Jack Pipe – 2”

Bore and jack pipe – 2” shall be furnished, installed, and measured for payment per the *Standard Specifications for Road and Bridge Construction*.

4.2. Conduit

Conduit shall include furnishing and installing specified conduit in accordance with the specifications. This item shall include conduit fittings, bodies, boxes, weatherheads, expansion joints, couplings, caps, conduit sealant, electrical tape, clamps, bonding straps and any other necessary hardware. Conduit will be measured in linear feet.

4.3. Electrical Service

Electrical Service shall include furnishing and installing all necessary materials and payment of all fees toward the complete installation of an electrical service which has passed all required inspections. Incidental to this item shall be furnishing and installing:

- Meter-base per utility company’s specifications
- Service disconnect panel per utility company’s specifications
- Meter base and service disconnect entrance hubs, waterproof
- Service entrance conductors
- Rigid steel conduit
- Rigid steel conduit fittings
- Conduit straps
- Weatherhead
- Duplex GFCI receptacle, 120-volt, 20-amp
- Ground rod with clamp
- Grounding conductor

Also incidental to this item shall be any necessary clearing of right of way for the electrical service drop.

Electrical service will be measured in individual units each.

4.4. Flashing Arrow

Flashing Arrow shall be furnished, installed, and measured for payment per the *Standard Specifications for Road and Bridge Construction.*

4.5. Galvanized Steel Cabinet

Galvanized Steel Cabinet shall include furnishing and installing galvanized steel cabinet on post as specified. Incidental to this item shall be furnishing and installing grounding hardware, and any necessary post/pole mounting hardware. Also incidental to this item shall be furnishing and installing the required number of terminal blocks and connection of all

sensors to the terminal blocks. Galvanized Steel Cabinet will be measured in individual units each.

4.6. Install Pad Mount Enclosure

Install Pad Mount Enclosure shall include installing a Department-furnished enclosure as specified on the detail sheets.

This item shall include obtaining the enclosure from KYTC and transporting it to the installation site and furnishing and installing the following:

- Concrete foundation (including any excavation necessary)
- Anchor bolts, lock washers, and nuts
- Conduit
- Conduit fittings (including grounding bushings)
- Weatherhead
- Terminal Strip(s)
- Ground rod with clamp
- Grounding conductor

Install Pad Mount Enclosure will be measured in individual units each.

4.7. Install Controller Cabinet

Install Controller Cabinet shall include installing a Department-furnished cabinet as specified on the detail sheets.

This item shall include obtaining the cabinet from KYTC and transporting it to the installation site and furnishing and installing the following:

- Conduit
- Conduit Fittings
- Terminal Strip(s)
- Ground rod with clamp
- Grounding conductor

Install Controller Cabinet will be measured in individual units each.

4.8. Junction Box Type 10" x 8" x 4"

Junction Box Type 10”x8”x4” shall include furnishing and installing specified junction box in accordance with the specifications. This item shall include connectors, splice sleeves, conduit fittings, mounting materials and any other items required to complete the installation. Incidental to this item shall be furnishing and installing specified post (wood, channel, metal, etc.) as required for the installation. Junction Box Type 10”x8”x4” will be measured in individual units each.

4.9. Junction Box Type A, B, or C

Junction Box Type A, B, or C shall include furnishing and installing specified junction box in accordance with the specifications. This item shall include excavation, furnishing and installing #57 aggregate, backfilling around the box, and restoration of disturbed areas to the satisfaction of the Engineer. Incidental to this item shall be furnishing and installing a

grounding conductor bonding all conduit grounding bushings in the box. Junction Box Type A, B, or C will be measured in individual units each.

4.10. Loop Saw Slot and Fill

Loop Saw Slot and Fill shall include sawing and cleaning saw slots and furnishing and installing conduit sealant, loop sealant, backer rod, grout, or other specified material. Loop Saw Slot and Fill will be measured in linear feet of sawed slot.

4.11. Maintain and Control Traffic

Maintain and Control Traffic shall be measured for payment per the *Standard Specifications for Road and Bridge Construction.*

4.12. Open Cut Roadway

Open Cut Roadway shall include excavating trench (sawing and chipping roadway) to dimensions as indicated on the detail sheets and furnishing and placing concrete, steel reinforcing bars, and asphalt. This item also includes restoring any disturbed sidewalk to its original condition. Open Cut Roadway will be measured in linear feet.

4.13. Piezoelectric Sensor

Piezoelectric sensor (piezo) shall include sawing and cleaning saw slots and furnishing and installing piezo in accordance with the specifications. This item shall include furnishing and installing lead-in wire, conduit sealant, encapsulation material, backer rod, grout, testing, and accessories. Piezo will be measured in individual units each.

4.14. Pole – 35’ Wooden

Pole – 35’ Wooden shall include excavation, furnishing and installing specified wood pole, backfilling and restoring disturbed areas to the satisfaction of the Engineer. Incidental to this item shall be furnishing and installing guy wire, anchor and anchor rod, strand vise, and guy guard, if specified.

Pole – 35’ Wooden will be measured in individual units each.

4.15. Signs

Signs shall be furnished, installed, and measured for payment per the *Standard Specifications for Road and Bridge Construction.*

4.16. Trenching and Backfilling

Trenching and Backfilling shall include excavation, warning tape, backfilling, temporary erosion control, seeding, protection and restoration of disturbed areas to original condition. This item shall include concrete, asphalt or approved replacement material for sidewalks, curbs, roadways, etc. (if required). Trenching and backfilling will be measured in linear feet.

4.17. Wire or Cable

Wire or cable shall include furnishing and installing specified wire or cable within saw slot, conduit, junction box, cabinet, or overhead as indicated on the detail sheets. Incidental to this item shall be the labeling of all wires and cables in each junction box, cabinet and splice

box, and furnishing and installing other hardware required for installing cable. Wire or Cable will be measured in linear feet.

4.18. Wood Post

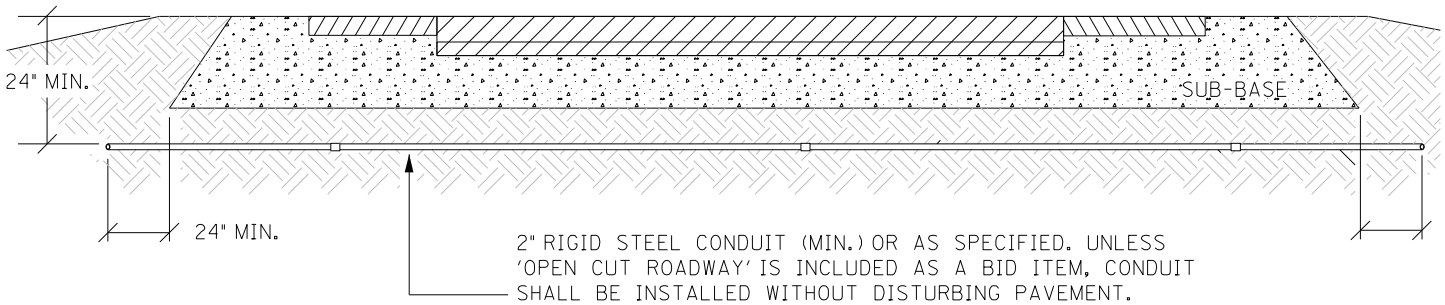
Wood Post shall include furnishing and installing wood post as specified. This item shall include excavation, furnishing and placing concrete (if required), backfilling around the post, and restoration of disturbed areas to the satisfaction of the engineer. Wood Post will be measured in individual units each.

4.19. Remove and Replace Sidewalk

Remove and Replace Sidewalk shall include removing existing sidewalk to install conduit and/or junction box (if required) and replacing old existing sidewalk with new sidewalk after installation of required items. This item includes removing old sidewalk and disposing of off the project and forming, pouring and finishing the new sidewalk after installation of required items.

4.20. Loop Test

Loop Test includes conducting an operating test on the existing inductance loops at the control cabinet in the presence of the Engineer to determine if the inductance loop conductors have an insulating resistance of a minimum of 100 megohms when tested with a 500-volt direct current potential in a reasonably dry atmosphere between conductors and ground.

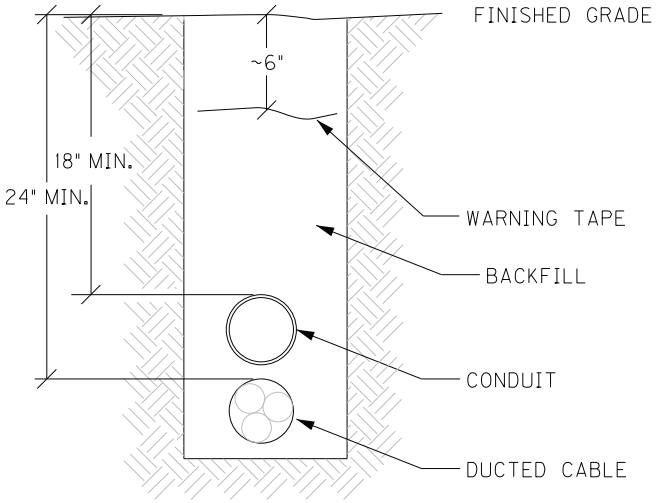


CONDUIT UNDER PAVEMENT

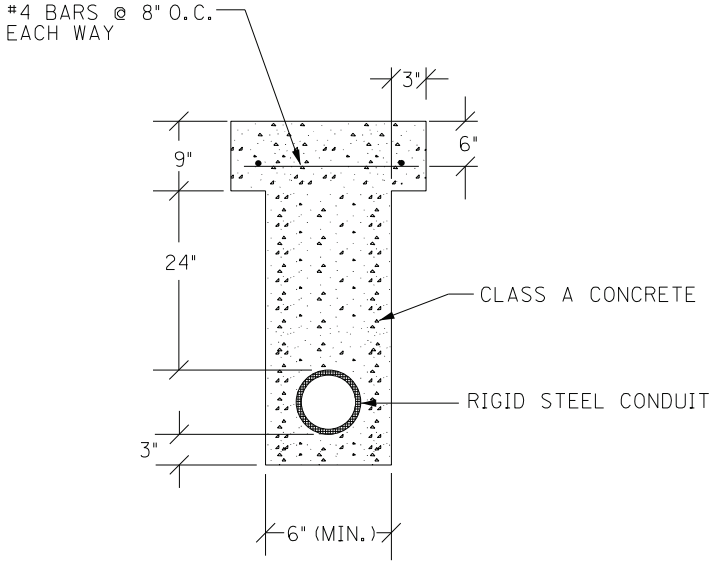
TOTAL TRENCH WIDTH SHALL BE 3" (NOM.) WIDER THAN THE SUM OF THE OUTSIDE DIAMETER(S) OF THE CONDUIT(S) INSTALLED. CONDUIT(S) SHALL BE CENTERED IN TRENCH.

CONTRACTOR SHALL PLACE BACKFILL IN LIFTS (9" MAX.) COMPACT BACKFILL, AND RESTORE DISTURBED AREA TO THE SATISFACTION OF THE ENGINEER

CONTRACTOR SHALL INSTALL UNDERGROUND UTILITY WARNING TAPE ABOVE CONDUIT AS SHOWN.



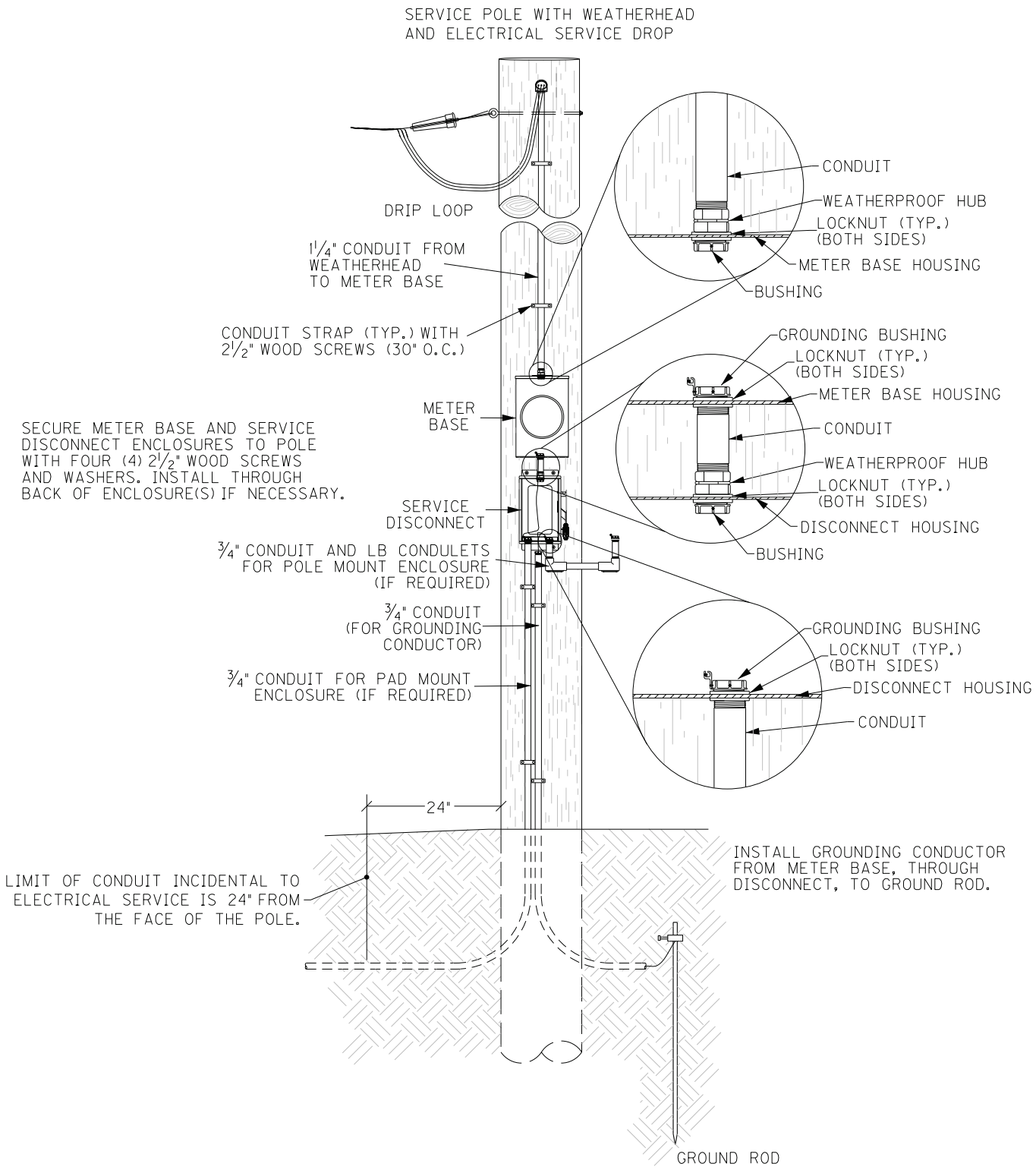
CONDUIT TRENCH



OPEN CUT PAVEMENT DETAIL

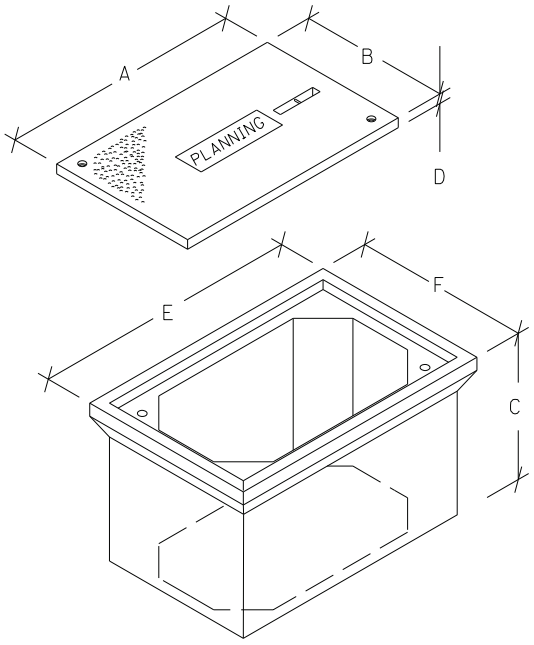
CONDUIT INSTALLATION

NOT TO SCALE



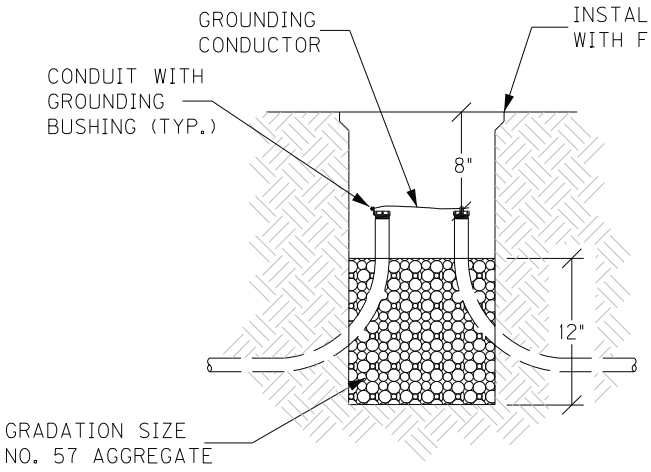
ELECTRICAL SERVICE

NOT TO SCALE



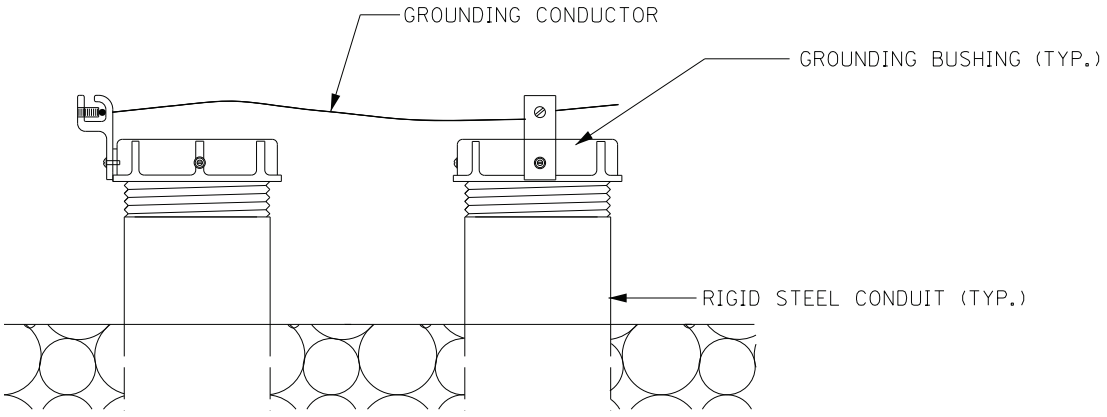
JUNCTION BOX DIMENSIONS (NOMINAL)						
	A	B	C	D*	E	F
TYPE A	23"	14"	18"	2"	25"	16"
TYPE B	18"	11"	12"	1¾"	20"	13"
TYPE C	36"	24"	30"	3"	38"	26"

* MINIMUM
STACKABLE BOXES ARE PERMITTED



ELEVATION

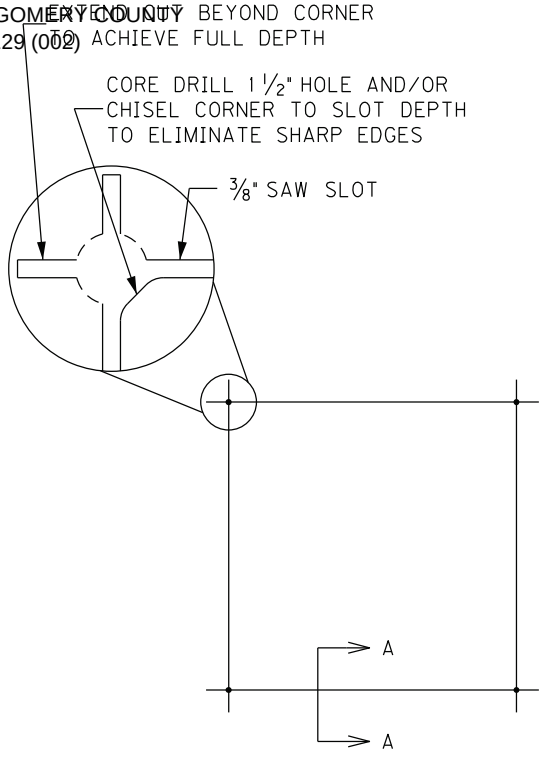
WHERE REQUIRED, JUNCTION BOX SHALL BE ORIENTED SUCH THAT THE DIMENSIONS COMPLY WITH THE NATIONAL ELECTRICAL CODE.



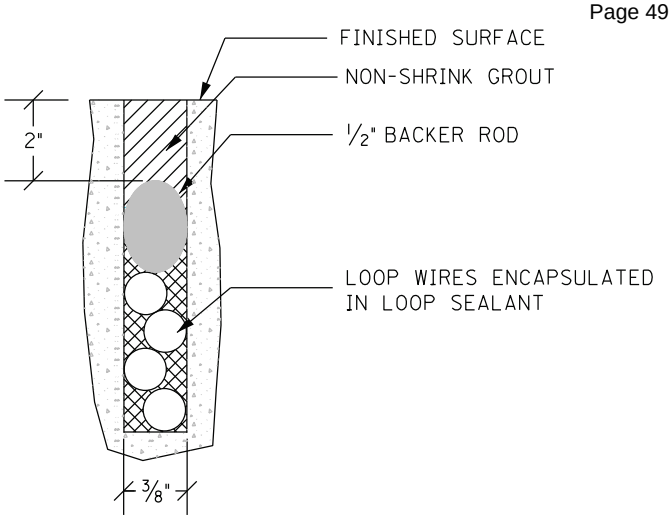
GROUNDING DETAIL

JUNCTION BOX - TYPE A, TYPE B, TYPE C

NOT TO SCALE



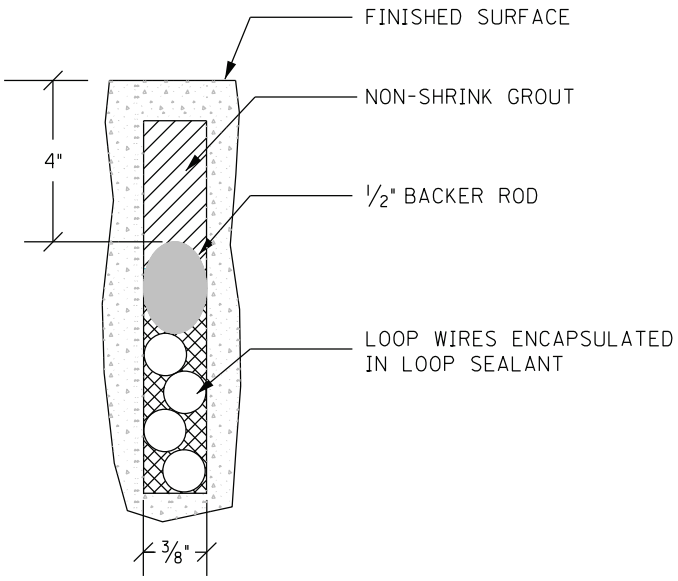
SAW CUT PLAN



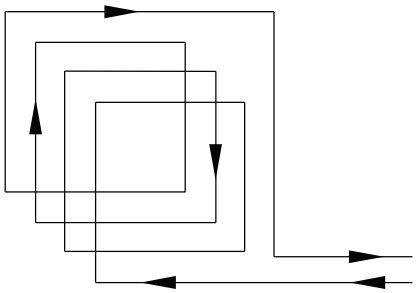
SECTION A-A (CONCRETE)

UNLESS SPECIFIED OTHERWISE, ALL LOOPS SHALL BE 6' x 6' SQUARE, CENTERED IN EACH LANE, WITH FOUR (4) TURNS OF 14 AWG LOOP WIRE.

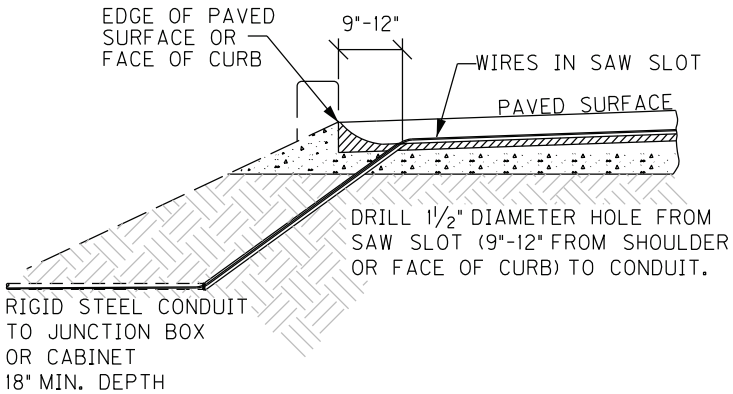
ADJACENT SAW SLOTS SHALL BE A MINIMUM OF 12" APART.



SECTION A-A (ASPHALT)



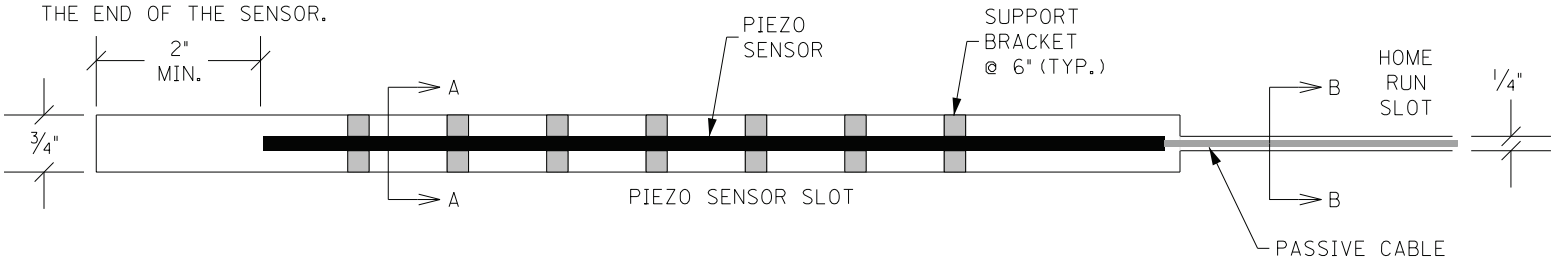
WIRING PLAN



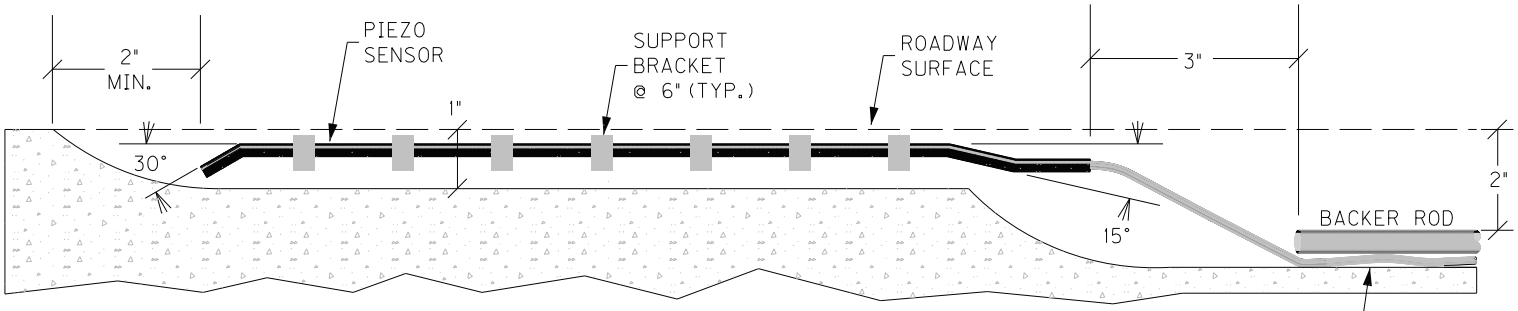
SAW SLOT EDGE OF PAVEMENT TRANSITION

INDUCTIVE LOOP DETECTOR

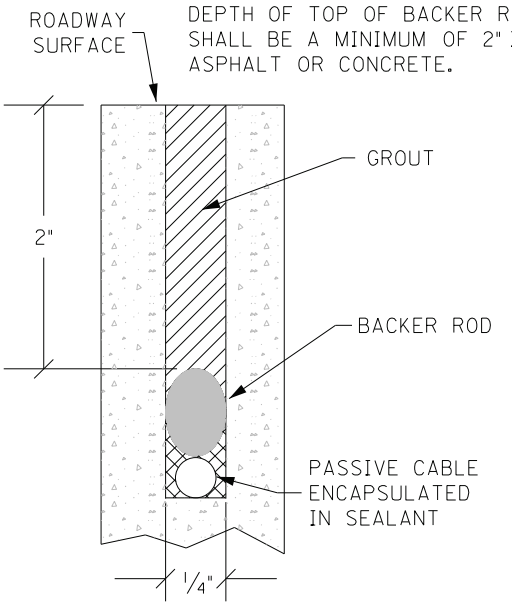
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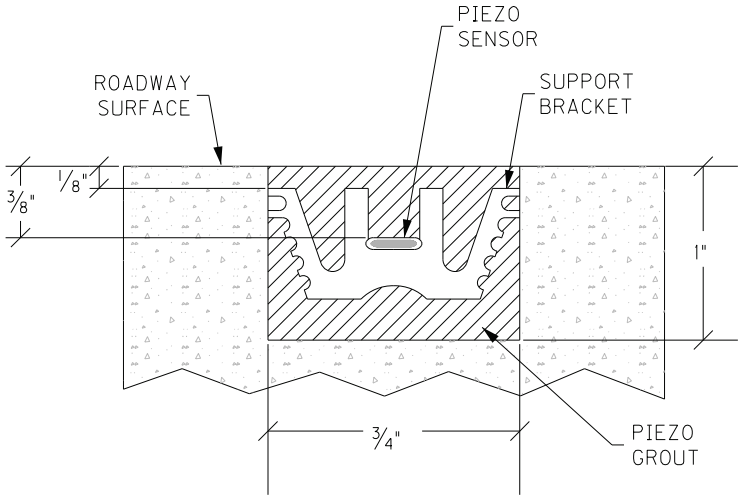
PLAN



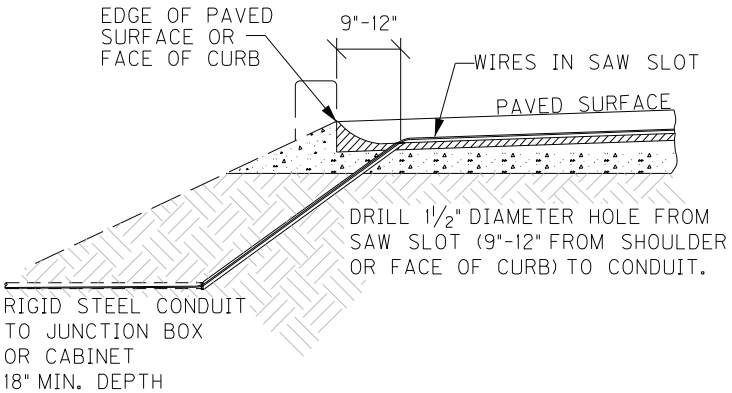
ELEVATION



SECTION B-B



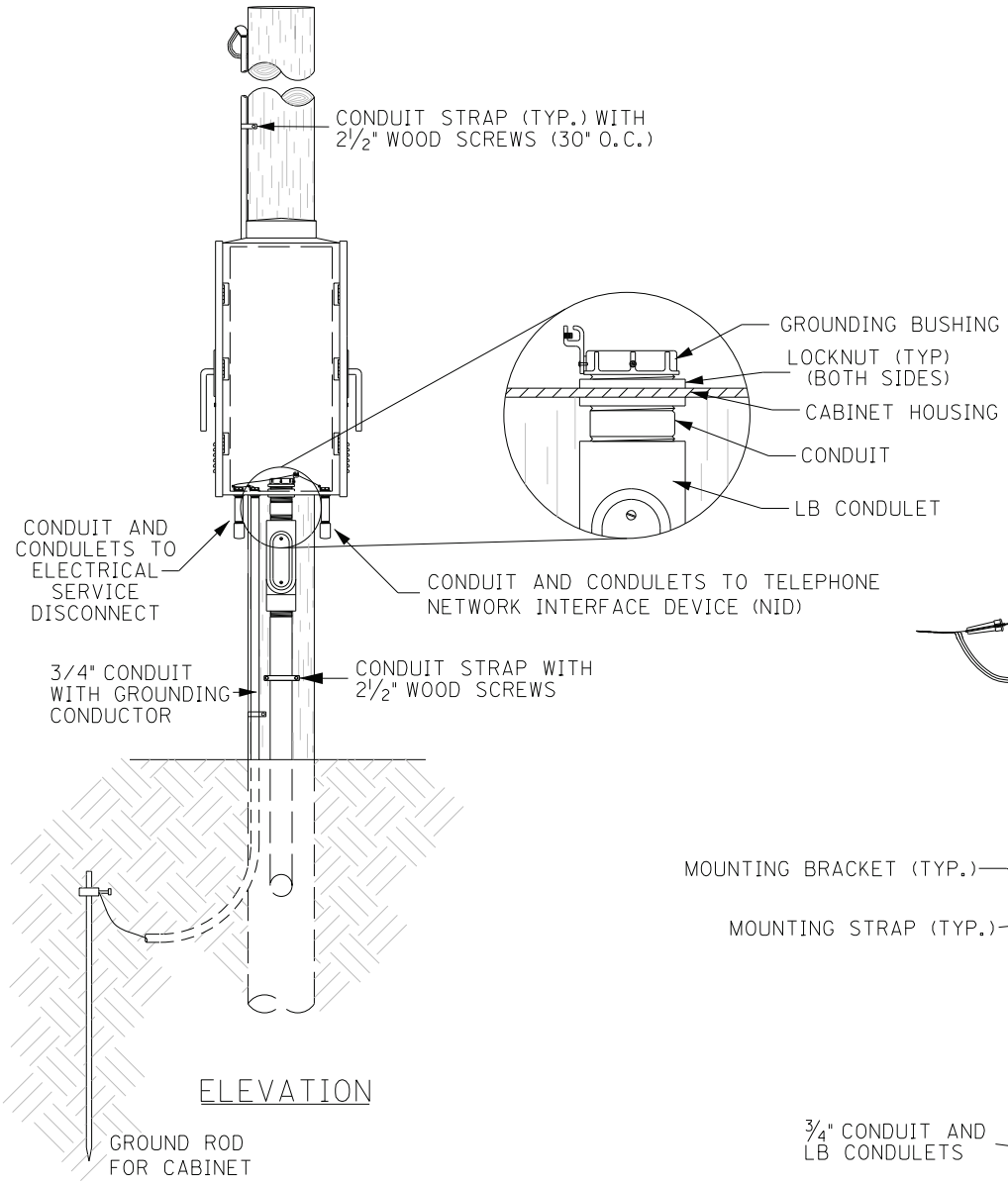
SECTION A-A



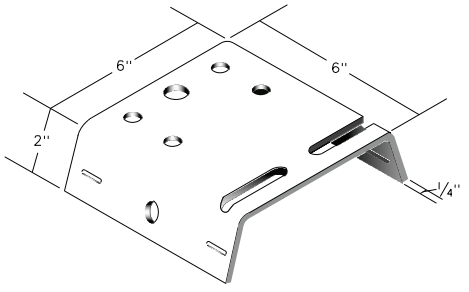
SAW SLOT EDGE OF PAVEMENT TRANSITION

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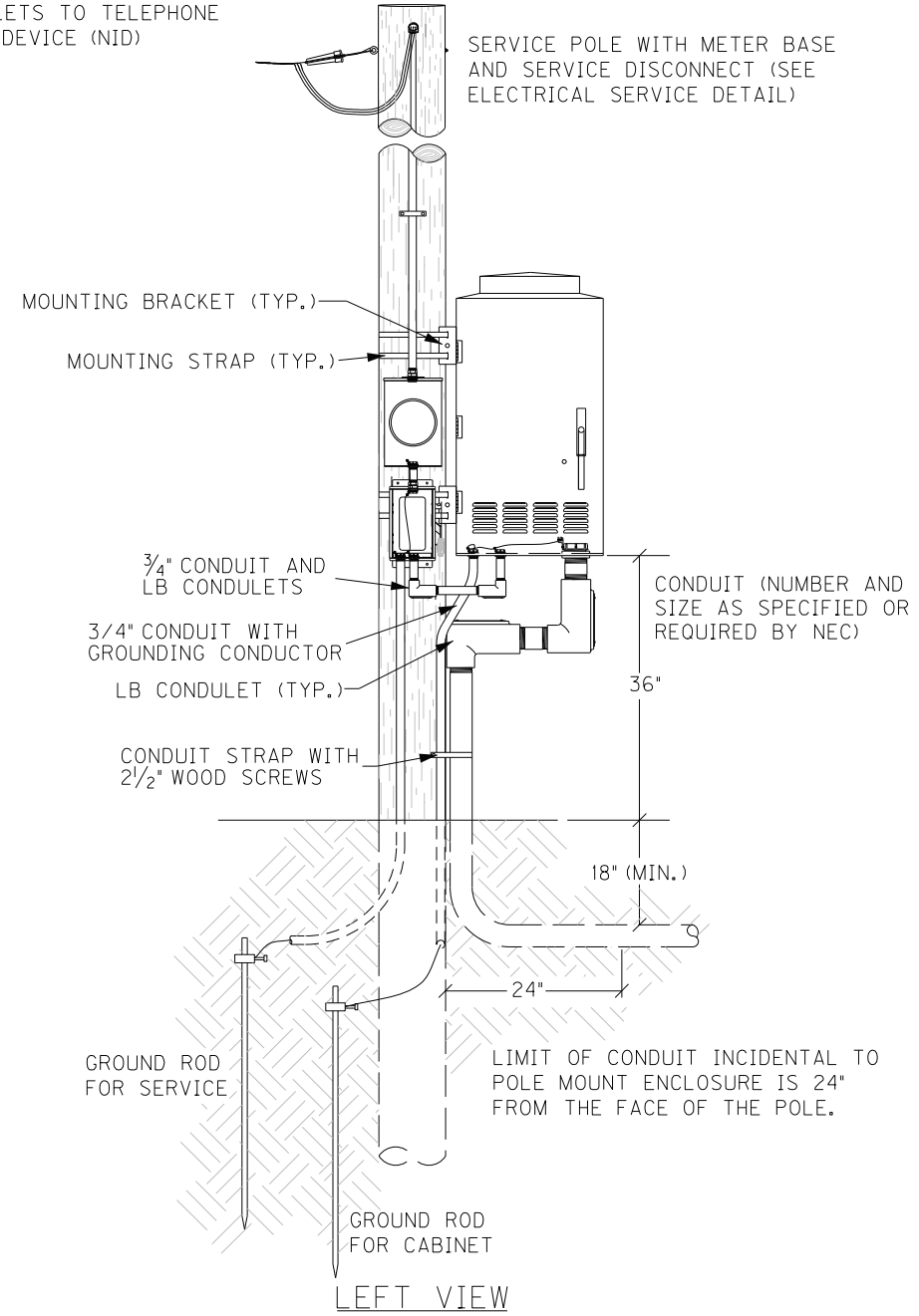
NOT TO SCALE



ELEVATION



MOUNTING BRACKET (TYPICAL)
SIZE AND NUMBER/POSITIONS OF OPENINGS MAY DIFFER



LEFT VIEW

WOOD POLE MOUNT ENCLOSURE

NOT TO SCALE

2CC

SPECIAL NOTE FOR CORROSION INHIBITORS

This Special Note will apply where indicated on the plans or in the proposal. Section references herein are to the Department's 2008 Standard Specifications for Road and Bridge Construction.

1.0 DESCRIPTION. Furnish and add an approved corrosion inhibitor to the plastic concrete mixture for precast, prestressed, non-composite, concrete deck units.

2.0 MATERIALS. Use one of the following:

1) W. R. Grace's DCI: The aqueous solution shall contain 30 ± 1 percent calcium nitrate by weight and shall weigh 10.6 ± 0.1 pounds per gallon.
2) Master Builder's Rheocrete 222: Use this product only with MBVR Concentrate air entraining admixture.
3) SIKA's Armatec 2000.
4) CORTEC's MCI 2000.

3.0 CONSTRUCTION. Ensure the air entraining, water reducing, or water reducing and retarding admixtures are compatible with the corrosion inhibitor. When corrosion inhibitors act as an accelerator in addition to inhibiting corrosion of the steel, adjust the quantities of other admixtures to produce acceptable workability and setting time accordingly.

Provide material matching the manufacturer's originally approved sample based on infrared spectrum analysis.

Ensure the manufacturer of the corrosion inhibitor is available at the request of the fabricator to provide technical assistance.

3.1 DCI Solution. Add to the concrete mixture at the rate of 4.0 gallons per cubic yard. Ensure that the solution does not contact other admixtures before entering the concrete. Consider the water in the DCI solution as part of the mixing water.

3.2 Rheocrete 222. Add to the concrete mixture at the rate of one gallon per cubic yard.

3.3 Armatec 2000. Add to the concrete mixture at the rate of 1/2 gallon per cubic yard.

3.4 MCI 2000. Add to the concrete mixture at the rate of 3 pints per cubic yard.

4.0 MEASUREMENT AND PAYMENT. The Department will not measure furnishing and incorporating the corrosion inhibitor into the concrete mixture for payment. The Department will consider furnishing and incorporating the corrosion inhibitor, and furnishing a manufacturer's representative for technical assistance incidental to the concrete deck units in which the corrosion inhibitor is used.

January 1, 2008

Special Note for Ribbon Thermo Striping Application

Mayde Road Extension Project

Item No. 7-80201.00

Contrary to Section 714.02.05 of the Standard Specifications for Road and Bridge Construction, application of 6 in and 12 in white and yellow “long line” thermoplastic striping will be required to be by ribbon-extrusion gun at all locations that are to be applied over the milled rumble strips in lieu of an extrusion die application. Also, ribbon-extrusion gun application may be used for all other 6 inch and 12 inch white and yellow “long line” thermoplastic striping on the project in lieu of an extrusion die application.

SPECIAL NOTE FOR CONCRETE SEALING

These Notes or designated portions thereof, apply where so indicated on the plans, proposals or bidding instruction.

I. DESCRIPTION. Perform all work in accordance with the Department's 2019 Standard Specifications, and applicable Supplemental Specifications, the attached sketches, and these Notes. Section references are to the Standard Specifications.
This work consists of: (1) Furnish all labor, materials, tools, and equipment; (2) Clean the bridge deck; (3) Seal the bridge deck; (4) Maintain & control traffic; and, (5) Any other work specified as part of this contract.

II. MATERIALS.

A. Sealer. Use one of the following:

Product	Supplier
Protectosil BHN	Evonik Industries
Protectosil 300S	Evonik Industries
TK-590-40 Tri-Silane 40%	TK Products
SW-244-100	Chemical Products Industries, Inc.
TK-590-1 MS Tri-Silane	TK Products
MasterProtect H1000	BASF
Aquanil Plus 40	ChemMasters
SIL-ACT ATS-100	Advanced Chemical Technologies
Certivex Penseal BTS 100%	Vexcon
Pentreat 244-40	W.R. Meadows
Aquanil Plus 40A	ChemMasters

B. Coverage Rate: Follow all manufacturers recommendations for coverage rates except the application rate must not exceed the square footage coverage rate per gallon of sealer as given in the chart below. If the manufacturer recommends a coverage rate greater than given in the table below, apply sealer at the rate given in the table below for the chosen sealers silane percentage.

% Silane	Coverage rate (ft^2/gallon)
100	300
40	120
20	60

III. CONSTRUCTION.

A. Curing Compound. Contrary to Section 609.03.12 of the specifications, curing compound is not to be used on this deck due to potentially causing issues with the concrete sealer. During the deck pour, finishing, and tining operations the Class AA concrete shall be kept continuously moist with the use of a mister until burlap or curing blankets are applied to the surface. At no point should water be pooling or running off the surface or the surface of the concrete be allowed to become dry. After the burlap or curing blankets are installed, cure in accordance with the specifications. Include all costs in the unit price bid for Class AA concrete. Failure to properly cure the concrete in accordance with this note and the specifications may result in weakened or cracked concrete. If the concrete is weakened or cracked due to improper curing, the contractor will be responsible for providing alternates to fix the issues to the Engineer for review and the contractor will be solely responsible for all costs to do so, up to complete replacement. Do not begin any construction on fixing any issues without approval of the Engineer.

B. Cleaning the Deck. Dry clean the deck to remove all loose debris. Remove all visible hydrocarbons from the surface with detergent approved by the manufacturer of the deck sealant. Pressure wash all surfaces to be sealed at 2000 to 3000 psi. Install pressure gauges at each wand to verify pressure. Use 30° fan tip or as recommended by the manufacturer of the deck sealant. Hold pressure washing wand a minimum of 45° from the deck with a maximum stand-off distance of 12 inches.

C. Sealing the Deck. Allow new concrete to cure a minimum 28 days prior to application of sealer. Monitor weather conditions prior to sealer application. Refer to manufacturer's recommendations for proper ambient conditions. Do not apply sealer if precipitation is anticipated within the time stated by the manufacturer. Allow the deck to dry 24 hours (after washing or rain event) before sealer application. The deck can be reopened to traffic while drying. Sealer must be applied within 48 hours of washing or the deck must be rewashed. Divide the deck into predefined areas of specific square footage to aid in determining usage. Comply with manufacturer's usage recommendation. Using a low

pressure pump, apply sealer and spread evenly with broom or squeegee; do not allow pooling to remain. When each predefined area is complete, measure the amount of sealer used to verify proper usage. After sealing, follow manufacturer's recommended cure time before opening to traffic. On vertical surfaces, apply the sealer in a flooding application from the bottom up, so the material runs down 6 to 8 inches below the spray pattern.

D. Inspection: Monitor all aspects of the project to assure compliance to this specification. Observe and document general conditions during the entirety of the project. Verify that each phase of work has been satisfactorily completed prior to beginning the next phase. Phases are described as follows:

1. Dry cleaning to remove loose debris, verify and document:
   a. All debris has been removed and disposed of properly.
2. Removal of hydrocarbons, verify and document:
   a. The manufacturer's recommended detergent is used for removal.
   b. Hydrocarbons have been satisfactorily removed.
3. Pressure washing, verify and document:
   a. Washing pressure at the wand.
   b. Tip size used.
   c. Wash angle and stand-off distance.
   d. The deck is satisfactorily cleaned.
4. Sealer application, verify and document:
   a. Proper cure time for new concrete.
   b. Deck surface is dry.
      1. Document time since washed.
      2. Was deck opened to traffic after washing?
   c. Ambient conditions.
      1. Document ambient temperature, surface temperature, relative humidity, and dew point.
   d. Application and distribution method.
   e. Coverage to be complete and even.
   f. Material is not allowed to remain pooled.
   g. Monitor material usage.
   h. No traffic until proper cure time is allowed.

IV. MEASUREMENT

A. Concrete Sealing. The Department will measure the quantity per square feet of each area sealed.

V. PAYMENT

A. **Concrete Sealing.** Payment at the contract unit price per square feet is full compensation for the following: (1) Furnish all labor, materials, tools, and equipment; (2) Clean the bridge deck; (3) Seal the bridge deck; (4) Maintain & control traffic; and, (5) Any other work specified as part of this contract.

SPECIAL NOTE

For Tree Removal

Montgomery County
WIDEN KY-1991 FROM MAYSVILLE ROAD TO MIDLAND TRAIL INDUSTRIAL PARK, MONTGOMERY COUNTY.
Item No. 07-240

NO CLEARING OF TREES 5 INCHES OR GREATER (DIAMETER BREAST HEIGHT) FROM **MAY 15 THROUGH JULY 31**

If there are any questions regarding this note, please contact Danny Peake, Director, Division of Environmental Analysis, 200 Mero Street, Frankfort, KY 40601, Phone: (502) 564-7250.

SPECIAL NOTE FOR RECYCLED ASPHALT PAVEMENT (RAP) STOCKPILE MANAGEMENT

I. GENERAL

The use of reclaimed asphalt pavement (RAP) from Department projects or other approved sources in hot mix asphalt (HMA) or warm mix asphalt (WMA) shall be subject to stockpile management and handling of material as described in this section.

The Department approves RAP on a stockpile basis, following the process set forth in this method. The contractor's responsibilities in the process are as follows:

- To obtain the Department's approval of all RAP prior to its use on a Department project and to deliver test data and samples as required
- To monitor and preserve the quality and uniformity of the approved material during storage and handling, adding no unapproved material to the existing stockpile
- To comply with the Department's requirements regarding replenishment of approved stockpiles

The Department will approve RAP based on its composition and variability in gradation and asphalt content, and on visual inspections of the stockpile, which the Department may conduct at its discretion. The Department may withdraw approval of a stockpile if the requirements of this specification are not followed in good faith.

The Maximum Percentage Allowed in a mix design will be based on these criteria and on the category of RAP source, as defined in this document.

II. APPROVAL PROCESS

Qualified asphalt producers (listed in List of Approved Materials-Asphalt Mixing Plants) may submit requests for RAP stockpile approval to the Asphalt Branch, Division of Materials, in the Annual Certification for Previously Approved Asphalt Mixing Plants and Related Equipment. The requester shall provide test results as prescribed in Part IID. The Division of Materials may, at their discretion, collect samples or inspect a RAP stockpile consistent with Section IIE.

Upon completion of the review of testing results and, if applicable, visual inspection, the Division of Materials, Asphalt Branch will approve or disapprove the material by letter and will assign a Stockpile Identification Number for each approved RAP stockpile. Note: The contractor's average gradation and asphalt content, as listed in the approval letter, shall be the gradation used in subsequent mix designs. The approval letter will state the applicable limits on the use of the material in mix designs and will summarize the Department's findings, listing the average gradation and asphalt content from the contractor's tests and the corresponding values found by the Department. Where the Maximum Percentage Allowed is low due to variability, the contractor may elect to improve the uniformity of the material by further processing and may again sample, test, and request approval for the material.

No material shall be added to a stockpile after it has been approved, except as provided in Parts V, VI, and VII below.

IIA. RAP Quality Management Plan

For a contractor to receive approval to use RAP on any department project, a RAP Quality Management Plan must first be approved by the department. The RAP Quality Management Plan shall be submitted to the

Division of Materials annually for approval as part of the Contractor's Quality Control Plan/Checklist. The Quality Management Plan is required to demonstrate how the Contractor will provide consistency and quality of material utilized in all asphalt mixes produced for use on Department projects. The Quality Management Plan shall include:

- Unprocessed RAP Stockpiles
  - Designation of stockpile(s) as single or multiple source
  - Designation of stockpile(s) as classified or unclassified
  - Designation of stockpile(s) as captive or continuously replenishing
  - Plan for how stockpile(s) is built (layers, slope, etc.)
  - Plan to minimize stockpile(s) contamination
- Processing and Crushing
  - Equipment used to feed screener or crusher
  - Excavation process based on equipment type
- Processing Millings
  - Single Project or Source
    - Screening, Fractionation, or Crushing plan
  - Multiple Source
    - Process to achieve uniform material from stockpile
    - Screening, Fractionation, or Crushing plan
- Processed RAP Stockpiles
  - Minimization of segregation
  - Minimization of moisture

IIB. RAP Stockpile Placement

All processed RAP stockpiles shall be placed on a sloped, paved surface. The requirement for a paved surface may be waived by the Cabinet if the Contractor's RAP Quality Management Plan demonstrates effective material handling that will minimize deleterious material from beneath the processed stockpile entering the plant. *No processed stockpile will be placed directly on grass or dirt.*

IIC. Stockpile Identification Signs

RAP stockpiles shall be identified with posted signs displaying the gradation of material in the stockpile (course, intermediate, or fine). These signs shall be made of weatherproof material and shall be highly visible. Numerals shall be easily readable from outside the stockpile area. If a stockpile exists in two or more parts, each part must have its own sign.

IID. Standard Approval Procedure

The Contractor shall obtain random samples representative of the entire stockpile and shall have each sample tested for gradation and asphalt content according to KM 64-426, KM 64-427, and AASHTO T308. The material samples must be in its final condition after all crushing and screening. At least one sample shall be obtained for each 1,000 tons of processed RAP, with a minimum of five samples per stockpile. Sampling shall be performed according to the method prescribed for asphalt mix aggregates in the Department's Materials Field Testing and Sampling Manual and KM 64-601. The minimum sampling size (after quartering) for tests of RAP samples is 1,500 g. except for samples containing particles more than one inch in diameter, for which the minimum is 2,000 g.

To request approval of a RAP stockpile, submit the following documents to the Division of Materials. It is the requester's responsibility to correctly address, label, and deliver these submittals:

• Submit request for approval at beginning of the paving season as part of the Annual Certification for Previously Approved Asphalt Mixing Plants and Related Equipment.

• If requesting approval after paving season begins, submit memo, including stockpile portion of the inspection list for Annual Certification for Previously Approved Asphalt Mixing Plants and Related Equipment, to Division of Materials.

• Reports of the tests prescribed above using the Stockpile <INSERT NAME> document.

• A drawing of the plant site showing the location of the stockpile to be approved *and all other stockpiles on the premises*

Mail, deliver or email the request form, with test reports and site drawing, to:

Kentucky Transportation Cabinet
Division of Materials
ATTN: Asphalt Branch Manager
1227 Wilkinson Boulevard
Frankfort, Kentucky 40601

Robert.Semones@ky.gov

IIE. Tests and inspections by the Department

The Department shall have the right to observe the collection of samples, or to perform the sampling and testing as a verification of contractor submittal. As a condition of approval, the Department may at any time inspect and sample RAP stockpiles for which approval has been requested and may perform additional quality control tests to determine the consistency and quality of the material.

The approval letter issued by the Department will include any results of verification testing performed by the Cabinet. The approved contractor results should be used by mix design technicians in the design calculations.

III. RAP STOCKPILE TIERED MANAGEMENT AND EFFECTIVE BINDER CONTENT

The stockpile management and approval requirements will be tiered based on the maximum cold feed percentages as defined in this section and Table 1. below.

Table 1. Tiered Testing Requirements

Mix Type	0-≤12%	12-≤20%	20-≤35%
Surface	Tier 1	Tier 2	Tier 3
Base	Tier 1	Tier 2	Tier 3

NOTE: All asphalt mixes and binder selection will be subject to Section 409 of the current Standard Specifications.

The following requirements will apply based on the percentage of RAP in the mix.

Tier 1

Tier 1 mixes (less than or equal to 12% RAP) will be subject to the requirements of sections IIA, IIB, and IIC.

Tier 2

Tier 2 mixes (12% to less than 20% RAP) will be subject to the requirements of Section II in its entirety and Table 2 requirements.

Tier 3

Tier 3 Asphalt Base mixes with 20% to less than 35% RAP, Tier 3 Asphalt Surface mixes with 20% to less than 30% RAP will be subject to Section II in its entirety and Table 2 requirements.

IV. MAXIMUM PERCENTAGE OF RAP ALLOWED

The Maximum Percent of RAP allowed in mix designs shall be the lowest percentage determined by the gradation and asphalt content of the RAP, as established under the criteria below, and requirements listed in Section III.

Limits according to range in gradation and bitumen content

The Maximum Percent of RAP Allowed, based on gradation and asphalt content, shall be determined by the Department using the standard deviation of these values. This standard deviation will be calculated using data provided by the contractor from at least five samples. While the contractor is required to provide the data from these tested samples, the Department retains the discretion to perform its own sampling and testing to support or verify its findings. An apparent outlier shall not be considered in determining these ranges. Where one result appears to be unrepresentative of the whole, two or more additional samples shall be tested. The outlying value of all tests shall then be excluded from the range. The maximum percentage of RAP allowable shall be the lowest percentage determined according to Table 2 below.

Table 2. Maximum Percent RAP According to Variability in Test Results

	Standard Deviation as calculated above:		
Surface			
% asphalt content	< 0.4	< 0.5	
% passing No. 200 sieve	< 1.25	< 1.5	
% passing Median Sieve	< 4.0	< 5.0	
	Allowable RAP Cold Feed %		
	Tier 3 - 20%-30%	Tier 2 - 12%-20%	Tier 1 - 0%-12%
Base			
% asphalt content	< 0.5	< 0.75	
% passing No. 200 sieve	< 1.5	< 2.25	
% passing Median sieve	< 5.0	< 7.0	
	Allowable RAP Cold Feed %		
	Tier 3 - 20%-35%	Tier 2 - 12%-20%	Tier 1 - 0%-12%

NOTE: These allowances notwithstanding, the Contractor is required to maintain the mixture within the Mixture Control Tolerances of Kentucky Method 443.
The percentage allowable in mix designs shall be limited to meet the design criteria for viscosity established in the Standard Specifications.

V. GENERAL STOCKPILE REQUIREMENTS AND REPLENISHMENT

V.A. Single Pavement Source

Early approval of material from a single pavement source. When a new stockpile is to consist entirely of millings removed from a single existing pavement, the stockpile may be approved based on samples taken during the milling and processing operations, prior to completion of milling. The initial stockpile may be approved as either a new stockpile or a new stockpile in continual replenishment status.

For continual replenishment status, samples shall be taken from the processed stockpile after it reaches 1,000 tons. A total of five initial samples, plus one additional sample for every 1,000 tons, is required. As prescribed in Part II above, the contractor shall test all samples and deliver the test results, together with a letter request for approval in Continual Replenishment status, to the address indicated. The stockpile shall be subject to initial approval as prescribed above in Part II. Once approved, it may be replenished without further approvals as provided in Part VII below.

V.B. Heterogeneous or contaminated material

Asphalt pavement millings containing traffic detection loops, raised pavement markers, or other debris must be separated and excluded before stockpiling RAP for approval for use in KYTC asphaltic concrete mixtures.

No material other than RAP from an approved stockpile shall be included in mixtures for State projects. The following materials are specifically excluded:

• Material contaminated with foreign matter such as liquids, soil, concrete, or debris

• Plant waste, especially waste containing abnormal concentrations of bitumen, drum build-up, or material from spills or plant clean-up operations

The following materials shall not be added to or placed in proximity to an approved stockpile but may be accumulated in a separate stockpile and submitted for approval according to Part III:

- Production mixtures returned to the plant for any reason.
- Mis-proportioned mixtures, especially those generated at start-up.

VI. REPLENISHMENT OF STOCKPILES

An approved RAP stockpile may be replenished with Department approval, provided the replenishment material meets all necessary requirements for approval and maintains uniformity in gradation and asphalt content as outlined in this document.

VI.A. Procedure and approval criteria

The procedure for requesting approval of a stockpile replenishment, that is not in continual replenishment status, shall be the same as for approval of an original stockpile, and the material for the replenishment shall meet all criteria for approval as a new stockpile. RAP proposed for replenishment shall be sampled and tested by the Contractor for gradation and asphalt cement as prescribed in Section II above. The Laboratory shall

review these results and provide approval for use in Department asphalt mix designs, according to Table 2 above.

VI.B. Effect of replenishment on existing approved mix designs

Replenishment of a stockpile may render certain mix designs invalid, depending on the percent RAP allowed in the design and on the difference in average properties between the old and new stockpiles. A replenished stockpile may be used as the RAP ingredient in an existing approved design provided that:

1. The Maximum Percent Allowed for the replenishment stockpile equals or exceeds the percent RAP called for in the mix design. In no case may the Maximum Percent Allowed be exceeded.

However, if a mix design calls for up to 5.0 percent more than the Maximum Percent Allowed for the replenishment, the *design* may be adjusted, with approval, to use the lower percent allowed, provided that the production mixture continues to meet all acceptance criteria. For example, a design which calls for 20 percent RAP may be adjusted and produced with 15 percent if it continues to meet for acceptance.

VII. CONTINUAL REPLENISHMENT WITHOUT RE-APPROVAL

At the request of the contractor, a previously approved stockpile may be placed in Continual Replenishment Status and may be replenished any number of times without re-approval provided that:

1. Replenishment is within six months of the last stockpile addition.
2. The contractor shall continue to monitor and test the materials added to the stockpile and shall forward these results to the Division of Materials for every 1,000 tons of RAP added to the stockpile.
3. The contractor must certify that replenishment materials are free of contaminants.
4. The Department shall be notified by letter to the Director of the Division of Materials that the stockpile is being replenished on a continual basis.
5. The RAP Maximum Percent Allowed for continual replenishment shall be limited by Sections III and IV.

Note: Upon request, one 20-pound sample bag of RAP for each Continual Replenishment Stockpile shall be submitted to the Division of Materials for petrographic analysis every 12 months.

The Department may inspect, sample, and test such stockpiles at its discretion and may, upon determining that the stockpile is unsuitable, withdraw approval of the material and all mix designs which include it. Approval of the stockpile may be withdrawn at any time based upon extreme or erratic ingredient proportions, unsuitable ingredients, or poor performance, as determined by the Division of Materials, Asphalt Branch. The Department will conduct periodic comparison testing on the opposite quarters of samples submitted by the Contractor for special replenishment approval category. The approval of the stockpile may be withdrawn if

erroneous information was found on the contractor's testing and/or improper sampling procedures were involved after a thorough investigation.

VIII. DEPLETION OF STOCKPILE AND EXPIRATION OF APPROVAL

When a stockpile has been fully depleted, the Contractor may replenish it within 24 months after the date of depletion; a depleted stockpile not replenished after 24 months will be removed from the approved list and may not be replenished.

Approval of a stockpile may be withdrawn if, in the finding of the Division of Materials, Asphalt Branch, the total amount of material used in new mixtures equals the total tonnage of the original stockpile plus all approved replenishments. Six years from the original approval of a stockpile or from its most recent replenishment, a stockpile shall be presumed to be depleted, and its approval shall expire. This shall apply to all stockpiles, regardless of status or history of use.

IX. RECORDS

The Contractor shall maintain records at the plant site on all RAP stockpiles. These records shall be available for inspection by representatives of the Department and shall include the following:

- All test results.
- The Department's approval letter for each stockpile and replenishment, together with the Contractor's requests for approval and all data submitted therewith.
- A current drawing of all stockpile locations at the plant site, including unapproved stockpiles, showing stockpile numbers of all stockpiles approved for State work.

X. RELOCATION OF STOCKPILE

If material from an approved RAP stockpile is to be moved to another location, the contractor shall seek approval from the Department prior to its further use on State projects. A letter request shall be submitted to the Division of Materials indicating the current stockpile location, the total quantity of material to be moved, and the amount, if any, to remain in the current location. The Division of Materials will issue an approval letter applicable to the new location.

June 18, 2025

TRANSPORTATION CABINET

Andy Beshear
GOVERNOR

200 Mero Street
Frankfort, Kentucky 40601

Rebecca Goodman
SECRETARY

Asbestos Inspection Survey

To: Tyler Reynolds

District: 7

Date: April 23, 2026

Conducted By: O'Dail Lawson

Report Prepared By: O'Dail Lawson

Project and Structure Identification

Project Number: Montgomery 07-0240.00

Structure ID: 087B00035N

Structure Location: KY 1991 over Hinkston Creek

Sample Description: Any suspect materials collected were negative for asbestos.

Inspection Date: September 9, 2026

Results and Recommendations

This asbestos survey was performed in accordance with the current USEPA regulations, specifically 40 CFR Part 61, Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP) revision, final rule effective November 20, 1990.

The results of the samples collected were negative for the presence of asbestos above 1%. No abatement is required at this time. However, the OSHA Standard 1926.1101 applies if any level of asbestos is present in the samples collected.

It is recommended that this report accompany the 10-Day Notice of Intent for Demolition (Notification Form DEP 7036) which is to be submitted to the Kentucky Division of Air Quality prior to abatement, demolition, or renovation of any building or structure in the Commonwealth. This form can be submitted electronically at the EEC Forms Homepage

MRS, INC. *MRS, Inc. Analytical Laboratory Division*

332 West Broadway / Suite # 902
Louisville, Kentucky - 40202 - 2133

(502) 568 - 2088 or (502) 495 - 1212
Fax: (502) 495 - 0566

BULK SAMPLE ASBESTOS ANALYSIS

Analysis N # # 3609122 A
Client Name: K Y T C
Sampled By: O'Dail Lawson

Address: Montgomery 7-240 087B00035N

				% FIBROUS ASBESTOS				% NON-ASBESTOS FIBERS			
Sample ID	Color	Layered	Fibrous	Chrysotile	Amosite	crocidolite	Others	Cellulose	Fiberglass	Syn. Fiber	Other/Mat.
# M1	Gray	Yes	No				None	1%			99%

Methodology : EPA Method 600/R-93-116
Date Analyzed : 12-Sep-26
Analyst : Winterford Mensah

Reviewed By: Winterford Mensah
Signature

The test relates only to the items tested. This report does not represent endorsement by NVLAP or any agency of the U.S Government. Partial Reproduction of any part of this report is strictly prohibited. Samples shall be retained for (30) days.

AIHA # 102459

AJHA #1 02459

Chain of Custody Record

Kentucky Transportation Cabinet
200 Mero Street, 5th Floor West
Frankfort, Kentucky 40622
(502) 564-7250 fax (502) 564-5655

	O'Dail Lawson o'dail.lawson@ky.gov	**Client Information** KY TRANS CABINET	KY 1991 over Hinkston Creek
	KYTC	Results Code:	
Address:	200 Mero Street	ND = None Detected	
	Frankfort KY	FTD = Filter Tampering or Damaged	
Phone:	502-564-7250 Fax: 502-564-5655	N/A = Not Applicable	
PO#:		Samplers (signature):	
Project or Subject Reference	Montgomery 7-240 08TB00035N		

Sample ID	Sample Description	Collected Date	Collected Time	Analysis Requested	Grab/ Comp.	No. of Cont.	Cont. Type	Preservative
M1	Abutment passing	9/9/26	13:15	Asbestos bulk	Fabric	grey		N/A

Relinquished By:	Date/Time:
Received By:	Date/Time:
Relinquished By:	Date/Time:
Received at Lab By:	Date/Time: 9/09/26

Contract ID: 261132
Page 68 of 183

ENVIRONMENTAL TRAINING CONCEPTS, INC
P.O Box 99603 Louisville, KY 40269
(502)640-2951

Certification Number: ETC-AIR-032526-0208

O'Dail Lawson

has on 03-25-2026 attended and successfully completed the requirements and passed the examination with a score of 70% or better on the entitled course.

ASBESTOS INSPECTOR REFRESHER

Training was in accordance with 40 CFR Part 763 (AHERA) approved by the Commonwealth of Kentucky, the Indiana Department of Environmental Management, Tennessee Department of Environment & Conservation and The Arkansas Department of Environmental Quality. The above student received requisite training for Asbestos Accreditation under Title II of the Toxic Substance Act (TSCA).

Conducted at: 1431 Alliant Ave., Louisville, KY

Steven Swift – Training Manager

Expiration Date: 03-25-2027

Steven Swift - Instructor

MONTGOMERY COUNTY
STP 0129 (002)

TEAM KENTUCKY TRANSPORTATION CABINET

KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT OF WAY & UTILITIES

TC 62-226
Rev. 01/2016
Page 1 of 1

RIGHT OF WAY CERTIFICATION

☒ Original	☐ Re-Certification	RIGHT OF WAY CERTIFICATION	
ITEM #	**COUNTY**	**PROJECT # (STATE)**	**PROJECT # (FEDERAL)**
7-240.00	Montgomery	12F0 FD52 087 8027701R	HPP 0129 (002)
PROJECT DESCRIPTION			
Widen KY1991 from Maysville Rd to Midland Trail Industrial Park in Montgomery Co.			

☐ **No Additional Right of Way Required**

Construction will be within the limits of the existing right of way. The right of way was acquired in accordance to FHWA regulations under the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended. No additional right of way or relocation assistance were required for this project.

☒ **Condition # 1 (Additional Right of Way Required and Cleared)**

All necessary right of way, including control of access rights when applicable, have been acquired including legal and physical possession. Trial or appeal of cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right-of-way, but all occupants have vacated the lands and improvements, and KYTC has physical possession and the rights to remove, salvage, or demolish all improvements and enter on all land. Just Compensation has been paid or deposited with the court. All relocations have been relocated to decent, safe, and sanitary housing or that KYTC has made available to displaced persons adequate replacement housing in accordance with the provisions of the current FHWA directive.

☐ **Condition # 2 (Additional Right of Way Required with Exception)**

The right of way has not been fully acquired, the right to occupy and to use all rights-of-way required for the proper execution of the project has been acquired. Some parcels may be pending in court and on other parcels full legal possession has not been obtained, but right of entry has been obtained, the occupants of all lands and improvements have vacated, and KYTC has physical possession and right to remove, salvage, or demolish all improvements. Just Compensation has been paid or deposited with the court for most parcels. Just Compensation for all pending parcels will be paid or deposited with the court prior to AWARD of construction contract

☐ **Condition # 3 (Additional Right of Way Required with Exception)**

The acquisition or right of occupancy and use of a few remaining parcels are not complete and/or some parcels still have occupants. All remaining occupants have had replacement housing made available to them in accordance with 49 CFR 24.204. KYTC is hereby requesting authorization to advertise this project for bids and to proceed with bid letting even though the necessary right of way will not be fully acquired, and/or some occupants will not be relocated, and/or the just compensation will not be paid or deposited with the court for some parcels until after bid letting. KYTC will fully meet all the requirements outlined in 23 CFR 635.309(c)(3) and 49 CFR 24.102(j) and will expedite completion of all acquisitions, relocations, and full payments after bid letting and prior to AWARD of the construction contract or force account construction.

Total Number of Parcels on Project	13	**EXCEPTION (S) Parcel #**	**ANTICIPATED DATE OF POSSESSION WITH EXPLANATION**
Number of Parcels That Have Been Acquired			
Signed Deed	11		
Condemnation	2		
Signed ROE	2		

Notes/ Comments (Text is limited. Use additional sheet if necessary.)

LPA RW Project Manager		Right of Way Supervisor	
Printed Name		Printed Name	
Signature		Signature	Digitally signed by Cecil D. Smith Date: 2026.10.16 08:32:56 -04'00'
Date		Date	

Right of Way Director		FHWA	
Printed Name		Printed Name	
Signature	Digitally signed by Kelly Divine Date: 2026.10.16 07:57:53 -05'00'	Signature	
Date		Date	

UTILITIES AND RAIL CERTIFICATION NOTE

Project:	**7-240.00**	**Montgomery County**	**KY 1991**
Funding Source:	**00HPP0129002**	**FD52 087 8027701U**	
Description:	**WIDEN KY-1991 FROM MAYSVILLE ROAD TO MIDLAND TRAIL INDUSTRIAL PARK, MONTGOMERY COUNTY. (SEE 7-8501.00 FOR "SPB" FUNDS) (2005HPP-KY129) (2022CCR) (2024CCR)**		
Mile Point:	**0 To 1.768**		

GENERAL UTILITY NOTES

1. Please Note: The information presented in this Utility Note is informational in nature and the information contained herein is not guaranteed.

2. The contractor shall make every effort to protect underground facilities from damage as prescribed in the Underground Facility Damage Protection Act of 1994, Kentucky Revised Statute KRS 367.4901 to 367.4917. It is the contractor's responsibility to determine and take steps necessary to be in compliance with federal and state damage prevention directives. The contractor is instructed to contact KY 811 for the location of existing underground utilities. Contact shall be made a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY 811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom are to be contacted through their individual Protection Notification Center. It may be necessary for the contractor to contact the County Court.

3. The contractor should be aware that there is UTILITY WORK INCLUDED IN THIS ROAD CONSTRUCTION CONTRACT. The Contractor shall review the GENERAL UTILITY NOTES AND INSTRUCTIONS which may include KYTC Utility Bid Item Descriptions, utility owner supplied specifications, plans, list of utility owner preapproved subcontractors, and other instructions. Utility contractors may be added via addendum if KYTC is instructed to do so by the utility owner. Potential contractors must seek prequalification from the utility owner. Any revisions must be sent from the utility owner to KYTC a minimum of one week prior to bid opening.

4. For all projects under 2000 Linear feet which require a normal excavation locate request pursuant to KRS 367.4901-4917, the awarded contractor shall field mark the

UTILITIES AND RAIL CERTIFICATION NOTE

Project:	**7-240.00**	**Montgomery County**	**KY 1991**
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Mile Point:	**0 To 1.768**		

proposed excavation or construction boundaries of the project (also called white lining) using the procedure set forth in KRS 367.4909(9)(k). For all projects over 2000 linear feet, which are defined as a “Large Project” in KRS 367.4903(18), the awarded contractor shall initially mark the first 2000 linear feet minimally of proposed excavation or construction boundaries of the project to be worked using the procedure set forth in KRS 367.4909(9)(k). This temporary field locating of the project excavation boundary shall take place prior to submitting an excavation location request to the underground utility protection Kentucky Contact Center. For large projects, the awarded contractor shall work with the impacted utilities to determine when additional white lining of the remainder of the project site will take place. This provision shall not alter or relieve the awarded contractor from complying with requirements of KRS 367.4905 to 367.4917 in their entirety.

5. The contractor will be responsible for contacting all utility facility owners on the subject project to coordinate his activities. The contractor will coordinate his activities to minimize and, where possible, avoid conflicts with utility facilities. Due to the nature of the work proposed, it is unlikely to conflict with the existing utilities beyond minor facility adjustments. Where conflicts with utility facilities are unavoidable, the contractor will coordinate any necessary relocation work with the facility owner and Resident Engineer. The Kentucky Transportation Cabinet maintains the right to remove or alter portions of this contract if a utility conflict occurs. The utility facilities as noted in the previous section(s) have been determined using data garnered by varied means and with varying degrees of accuracy: from the facility owners, a result of S.U.E., field inspections, and/or reviews of record drawings. The facilities defined may not be inclusive of all utilities in the project scope and are not Level A quality, unless specified as such. It is the contractor’s responsibility to verify all utilities and their respective locations before excavating.

UTILITIES AND RAIL CERTIFICATION NOTE

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Mile Point:	**0 To 1.768**		

DO NOT DISTURB THE FOLLOWING FACILITIES LOCATED WITHIN THE PROJECT

The Contractor is fully responsible for protection of all utilities listed above

Not Applicable.

UTILITIES AND RAIL CERTIFICATION NOTE

Project:	**7-240.00**	**Montgomery County**	**KY 1991**
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Mile Point:	**0 To 1.768**		

THE FOLLOWING FACILITY OWNERS ARE RELOCATING/ADJUSTING THEIR FACILITIES WITHIN THE PROJECT LIMITS AND WILL BE COMPLETE PRIOR TO CONSTRUCTION

Not Applicable.

UTILITIES AND RAIL CERTIFICATION NOTE

Project:	**7-240.00**	**Montgomery County**	**KY 1991**
Funding Source:	**00HPP0129002**	**FD52 087 8027701U**	
Description:	**WIDEN KY-1991 FROM MAYSVILLE ROAD TO MIDLAND TRAIL INDUSTRIAL PARK, MONTGOMERY COUNTY. (SEE 7-8501.00 FOR "SPB" FUNDS) (2005HPP-KY129) (2022CCR) (2024CCR)**		
Mile Point:	**0 To 1.768**		

THE FOLLOWING FACILITY OWNERS HAVE FACILITIES TO BE RELOCATED/ADJUSTED BY THE OWNER OR THEIR SUBCONTRACTOR AND IS TO BE COORDINATED WITH THE ROAD CONTRACT

Utility Company	Facility Type	Start Date	Completion Date
AT&T - KY	Communication-Montgomery	Undetermined	05/25/2027
AT&T will remove 14 poles from STA 19+60 to STA 73+00. AT&T will relocate approximately 6,745 feet of copper cable aerial and underground and 13,360 feet of aerial and underground fiber from STA 23+65 to 73+00. AT&T anticipates that it will take 180 consecutive days to complete the relocation once started.			
Charter Communications Holdings, LLC DBA Spectrum	CATV-Montgomery	Undetermined	1/15/2027
Spectrum will remove three spans of 592 feet of aerial coaxial cable from Sta 65+00 to STA 73+00 and install approximately 425 feet of coaxial cable to the new Clark Energy pole route once the electrical relocation is complete. Spectrum anticipates that it will take approximately 56 days to complete the relocation once started.			

UTILITIES AND RAIL CERTIFICATION NOTE

Project:	**7-240.00**	**Montgomery County**	**KY 1991**
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Mile Point:	**0 To 1.768**		

Kentucky Utilities	Electric Distribution-Montgomery	Undetermined	3/20/2027
KU will remove approximately 600 feet of three phase ASCR and five wooden poles from STA 23+00 to STA 30 + 00. KU will install approximately 600 feet of three phase ACSR and four wooden poles from STA 23+00 to STA 30+00. KU will anticipate it will take 56 consecutive days to complete relocation.			
Clark Energy Cooperative Inc	Electric - Montgomery		
Clark Energy will remove poles between STA 39+00 to 70 +40. Clark Energy will install 11 poles total with approximately 5,335 feet of 1/0 ACSR wire, 2,211 feet of phase 2 ASCR wire, and 1,763 feet of 397 ACSR wire. Clark Energy anticipates the relocation work will take 45 consecutive days to complete. Estimated completion date is 2/28/2027.			

UTILITIES AND RAIL CERTIFICATION NOTE

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Mile Point:	**0 To 1.768**		

THE FOLLOWING FACILITY OWNERS HAVE FACILITIES TO BE RELOCATED/ADJUSTED BY THE ROAD CONTRACTOR AS INCLUDED IN THIS CONTRACT

Mt. Sterling Water and Sewer	Water-Montgomery	Undetermined	Undetermined

MSWS will put in a new 8” water main from STA 24+67 to STA 28+70 along with water meters and valves. At approximately STA 28 + 90 a 16” casing pipe will be bored and jacked. MSWS will put in a new 8” water main from STA 53+30 to 73+00 along with fire hydrant, water meters, and water valves.

MSWS will install a new 15” gravity sewer and manhole at STA 43+20 to STA 45+00. MSWS will install a new 30” gravity sewer at STA 45+36 to STA 46+10. A sewer pump station will be removed at approximately STA 47+85.

MSWS anticipates work to be completed in 150 days. All work and relocation plans are subject to change.

UTILITIES AND RAIL CERTIFICATION NOTE

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RAIL COMPANIES HAVE FACILITIES IN CONJUNCTION WITH THIS PROJECT AS NOTED

No Rail Involvement

UTILITIES AND RAIL CERTIFICATION NOTE

Project:	**7-240.00**	**Montgomery County**	**KY 1991**
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Mile Point:	**0 To 1.768**		

AREA FACILITY OWNER CONTACT LIST

1. AT&T - KY - Communication
   Frank Ambrose - Phone: (502) 867-8240 Email: fa2207@att.com

2. Charter Communications Holdings, LLC DBA Spectrum - CATV
   John Oram - Phone: (859) 519-3434 Email: john.oram@charter.com

3. Clark Energy Cooperative Inc - Electric
   Todd Peyton - Phone: (859) 744-4251 Email: tpeyton@clarkenergy.com

4. Kentucky Utilities - Electric Distribution
   Caroline Justice - Phone: (502) 627-3708 Email: Caroline.Justice@lge-ku.com

5. Mt. Sterling Water and Sewer - Water
   Brad Reed - Phone: (859) 498-0166 Email: b.reed@mswatersewer.com

6. Mt. Sterling Water and Sewer - Sewer
   Brad Reed - Phone: (859) 498-0166 Email: b.reed@mswatersewer.com

N O T I C E

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS 404
NATIONWIDE 14 PERMIT AUTHORIZATION
KENTUCKY DIVISION OF WATER 401 WQC

03-30-2026

PROJECT: Montgomery County, Item No. 7-240
KY 1991 Major Widening

The Section 404 & 401 activities for this project have been previously permitted under the authority of the Department of the Army Nationwide Permit No. 14 "Linear Transportation Projects" & Division of Water General Water Quality Certification. In order for these authorizations to be valid, the attached conditions must be followed. The contractor shall post a copy of this Nationwide Permit & General WQC in a conspicuous location at the project site for the duration of construction and comply with the general conditions as required.

Station 44+28.06	Construct a 40' PPCDU Bridge on Hinkston Creek. The **perennial** stream will have impacts below the normal high-water mark. The estimated area of impact is **40 linear feet** and **0.001** acres.
Station 48+60	Construct a 36" Culvert on an U.T. of Hinkston Creek. The **intermittent** stream will have impacts below the normal high-water mark. The estimated area of impact is **45 linear feet** and **0.001** acres.

This project involves work near and/or within Jurisdictional Waters of the United States as defined by the United States Army Corps of Engineers and therefore requires a Nationwide 14 General 404 Permit. The Division of Water certified this General Permit with several conditions (See attached). One that should be brought to your attention is regarding the use of heavy equipment in the stream channel. If there is need to cross the stream channel with heavy equipment or conduct work from within the stream channel a working platform or temporary crossing is authorized. This should be constructed with clean rock and sufficient pipe to allow stream flow to continue unimpeded (see attached typical drawing).

In order for this authorization to be valid, the attached conditions must be followed. The contractor shall post a copy of this Nationwide Approval in a conspicuous location at the project site for the duration of construction and comply with the general conditions as required.

To more readily expedite construction, the contractor may elect to alter the design or perform the work in a manner different from what was originally proposed and specified. Prior to commencing such alternative work, the contractor shall obtain **written** permission from the Division of Construction and the Division of Environmental Analysis. If such changes necessitate further permitting, then the contractor will be responsible for applying to the Army Corps of Engineers and the Kentucky Division of Water (KDOW). A copy of any request to the Corps of Engineers or the KDOW to alter this proposal and subsequent responses shall be forwarded to the Division of Environmental Analysis, DA Permit Coordinator, for office records and for informational purposes.

2026 Nationwide Permit Summary

US Army Corps of Engineers®

Effective: March 15, 2026 **Expires: March 15, 2031**

Nationwide Permit 14. Linear Transportation Projects

https://www.federalregister.gov/d/2026-00121/p-1323

Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (*e.g.,* roads, highways, railways, trails, driveways, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/2 -acre of waters of the United States. For linear transportation projects in tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/3 -acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project. This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.
This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10 -acre; or (2) there is a discharge of dredged or fill material in a special aquatic site, including wetlands. (See general condition 32.) (Authorities: Sections 10 and 404).

Note 1: For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with 33 CFR 330.6(d).

Note 2: Some discharges of dredged or fill material for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

Note 3: For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b)(4) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, “District Engineer's Decision.” The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

Nationwide Permit - General Conditions

https://www.federalregister.gov/d/2026-00121/p-1563

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs,

or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. *Navigation.* (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. *Aquatic Life Movements.* No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. *Spawning Areas.* Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (*e.g.,* through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. *Migratory Bird Breeding Areas.* Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. *Shellfish Beds.* No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. *Suitable Material.* No activity may use unsuitable material (*e.g.,* trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. *Water Supply Intakes.* No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. *Adverse Effects From Impoundments.* If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. *Management of Water Flows.* To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows, including tidal flows. The activity must not restrict or impede the passage of normal or high flows, including tidal flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (*e.g.,* stream restoration or relocation activities).

10. *Fills Within 100-Year Floodplains.* The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. *Equipment.* Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance. If mats are used to minimize soil disturbance, the affected areas must be returned to pre-construction elevations, and revegetated as appropriate. In circumstances where the use of mats has caused significant soil compaction, efforts using techniques (*e.g.,* soil reaeration techniques) to break up the compaction should be employed to return the soil to a pre-construction state prior to returning to pre-construction elevations.

12. *Soil Erosion and Sediment Controls.* Appropriate soil erosion and sediment controls must be used and maintained

in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. *Removal of Temporary Structures and Fills.* Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. *Proper Maintenance.* Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. *Single and Complete Project.* The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. *Wild and Scenic Rivers.* (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (*e.g.,* National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: *http://www.rivers.gov/*.

17. *Tribal Rights.* No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. *Endangered Species.* (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that

might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (*e.g.,* an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal permittee should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their web pages at *http://www.fws.gov/* or *http://www.fws.gov/ipac* and *http://www.nmfs.noaa.gov/pr/species/esa/* respectively.

19. *Migratory Birds and Bald and Golden Eagles.* The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. *Historic Properties.* (a) No activity is authorized under any NWP which may have the potential to cause effects on properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for

fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects on any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects on historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. *Discovery of Previously Unknown Remains and Artifacts.* Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activities authorized by NWPs, must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the federal, tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. *Designated Critical Resource Waters.* Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after

notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. *Mitigation.* The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (*i.e.,* on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10 -acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10 -acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100 -acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100 -acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, because streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (*e.g.,* conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (*e.g.,* riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (*e.g.,* resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2 -acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2 -acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. *Safety of Impoundment Structures.* To ensure that all impoundment structures are safely designed, the district engineer may require non-federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design

has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. *Water Quality.* (a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed activity which may result in any discharge from a point source into waters of the United States must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by the certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed activity which may result in any discharge from a point source into waters of the United States in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed activity which may result in any discharge from a point source into waters of the United States is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge into waters of the United States, the permittee must submit a copy of the certification to the district engineer. The discharge into waters of the United States is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied (*i.e.,* by the issuance of a water quality certification or a waiver and completion of the Section 401(a)(2) process).

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. *Coastal Zone Management.* In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. *Regional and Case-By-Case Conditions.* The activity must comply with any regional conditions that may have been added by the division engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. *Use of Multiple Nationwide Permits.* The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) The total acreage loss of waters of the United States for a single and complete project cannot exceed the acreage limit of the NWP with the highest specified acreage limit when multiple NWPs are used to authorize an activity.

(b) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States for that single and complete project cannot exceed that specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14 (which has an acreage limit of 1/3 acre in tidal waters), with associated bank stabilization authorized by NWP 13 (which does not have a specified acreage limit), the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3 -acre.

(c) If two or more of the NWPs used to authorize the single and complete project have specified acreage limits, the acreage loss of waters of the United States authorized by each of those NWPs cannot exceed the specified acreage limits of each of those NWPs. For example, if a commercial development is constructed under NWP 39 (which as a 1/2 -acre limit), and the single and complete project includes the filling of a ditch authorized by NWP 46 (which has a 1-acre limit), the maximum acreage loss of waters of the United States for the construction of the commercial development under NWP 39 cannot exceed 1/2 -acre, and the total acreage loss of waters of United States caused by the combination of the NWP 39 and NWP 46 activities cannot exceed 1 acre.

29. *Transfer of Nationwide Permit Verifications.* If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide

permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

(Transferee)

(Date)

30. *Compliance Certification.* Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The successful completion of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. *Activities Affecting Structures or Works Built by the United States.* If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. *Pre-Construction Notification.* (a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If

the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (*e.g.,* a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of waters, wetlands, and other special aquatic sites on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate. For NWP 27 activities that require PCNs because of other general conditions or regional conditions imposed by division engineers, see Note 2 of that NWP;

(6) If the proposed activity will result in the loss of greater than 1/10 -acre of wetlands or 3/100 -acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the compensatory mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property

listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification:* The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) *Agency Coordination:* (1) The district engineer will consider any comments from federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2 - acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (*e.g.,* via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or email that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases where the prospective permittee is not a federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

D. District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public

interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the single and complete crossings of waters of the United States that require PCNs to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings of waters of the United States authorized by an NWP. If an applicant requests a waiver of an applicable limit, as provided for in NWPs 13, 36, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by an NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (*e.g.,* partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (*e.g.,* watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add activity-specific conditions to the NWP authorization to address site-specific environmental concerns.

3. If the proposed NWP activity requires a PCN and will result in a loss of greater than 1/10 -acre of wetlands or 3/100 -acre of stream bed, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters. However, compensatory mitigation shall not be required for activities authorized by NWP 27 because those activities must result in net increases in aquatic resource functions and services (see the text of NWP 27). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal when determining whether the net adverse environmental effects of the proposed NWP activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the proposed activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure that the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

4. If the district engineer determines that the adverse environmental effects of the proposed NWP activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures

to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN review period (unless additional time is required to comply with general conditions 16, 18, 20, and/or 31), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

E. Further Information

1. District engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

F. Nationwide Permit Definitions

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term “discharge” means any discharge of dredged or fill material into waters of the United States.

Ecological reference: A model used to plan and design an aquatic ecosystem restoration, enhancement, or establishment activity under NWP 27. An ecological reference may be based on: (1) the structure, functions, and dynamics of an aquatic ecosystem type or a riparian area type that currently exists in the region; (2) the structure, functions, and dynamics of an aquatic ecosystem type or riparian area type that existed in the region in the past; and/or (3) indigenous and local ecological knowledge that apply to the aquatic ecosystem type or riparian area type (*i.e.,* a cultural ecosystem). Cultural ecosystems are ecosystems that have developed under the joint influence of natural processes and human management activities (*e.g.,* fire stewardship). An ecological reference takes into account the range of variation of the aquatic habitat type or riparian area type in the region.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps Regulatory Program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. The loss of stream bed includes the acres of stream bed that are permanently adversely affected by filling or excavation because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters or wetlands for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the United States.

Nature-based solutions: Actions to protect, sustainably manage, and restore natural or modified ecosystems, that address societal challenges effectively and adaptively, simultaneously providing human well-being and biodiversity benefits.

Navigable waters: Waters subject to section 10 of the Rivers and Harbors Act of 1899. These waters are defined at 33 CFR part 329.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (*i.e.,* spring high tide line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of flowing or standing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of “open waters” include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: The term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

Perennial stream: A perennial stream has surface water flowing continuously year-round during a typical year.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes

activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a course substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands next to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (*i.e.,* spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term "single and complete project" is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (*i.e.,* a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of "independent utility"). Single and complete non-linear projects may not be "piecemealed" to avoid the limits in an NWP authorization.

Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (*i.e.,* by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. The substrate may also be comprised, in part, of organic matter, such as large or small wood fragments, leaves, algae, and other organic materials. Wetlands contiguous to the stream bed, but outside of the ordinary high water

marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized jurisdictional stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a jurisdictional wetland that is inundated by tidal waters. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line.

Tribal lands: Any lands title to which is either: (1) held in trust by the United States for the benefit of any Indian tribe or individual; or (2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.

Tribal rights: Those rights legally accruing to a tribe or tribes by virtue of inherent sovereign authority, unextinguished aboriginal title, treaty, statute, judicial decisions, executive order or agreement, and that give rise to legally enforceable remedies.

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWPs, a waterbody is a “water of the United States.” If a wetland is adjacent to a waterbody determined to be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)).

2026 KENTUCKY REGIONAL CONDITIONS

These regional conditions are in addition to, but do not supersede, the requirements in the Federal Register (See Volume 91, dated January 8, 2026, pp 768-886 for the text of Section C, Nationwide Permit General Conditions).

Notification for all Nationwide Permits (NWPs) shall be in accordance with General Condition No. 32.

1. For activities that would result in a loss of Outstanding State or National Resource Waters (OSNRWs), Exceptional Waters (EWs), Coldwater Aquatic Habitat Waters (CAHs) and waters with Designated Critical Habitat (DCH) under the Endangered Species Act for the NWPs listed below, a Pre-Construction Notification (PCN) will be required to the Corps. The Corps will coordinate with the appropriate resource agencies (see attached list) on these NWPs for impacts to these waters.

   NWP 3 (Maintenance)
   NWP 4 (Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities)
   NWP 5 (Scientific Measurement Devices)
   NWP 6 (Survey Activities)
   NWP 12 (Oil or Natural Gas Pipeline Activities)
   NWP 13 (Bank Stabilization)
   NWP 14 (Linear Transportation Projects)
   NWP 15 (U.S. Coast Guard Approved Bridges)
   NWP 16 (Return Water from Upland Contained Disposal Areas)
   NWP 17 (Hydropower Projects)
   NWP 18 (Minor Discharges)
   NWP 19 (Minor Dredging)
   NWP 20 (Response Operations for Oil or Hazardous Substances)
   NWP 22 (Removal of Vessels)
   NWP 23 (Approved Categorical Exclusions)
   NWP 25 (Structural Discharges)
   NWP 30 (Moist Soil Management for Wildlife)
   NWP 32 (Completed Enforcement Actions)
   NWP 33 (Temporary Construction, Access, and Dewatering)
   NWP 36 (Boat Ramps)
   NWP 41 (Reshaping Existing Drainage Ditches)
   NWP 51 (Land-Based Renewable Energy Generation Facilities)
   NWP 57 (Electric Utility Line and Telecommunications Activities)
   NWP 58 (Utility Line Activities for Water and Other Substances)

2. In addition to the notification and agency coordination requirements in the NWPs, for impacts greater than 0.25 acres in all “waters of the U.S.” for the NWPs listed below, a PCN will be required to the Corps. The Corps will coordinate with the appropriate resource agencies (see attached list) on these NWPs:

NWP 3 (Maintenance)
NWP 14 (Linear Transportation Projects)

3. Nationwide Permit No. 14 – Linear Transportation Projects.

(i) New road alignments or realignments are limited to a permanent loss of 500 linear feet of intermittent or perennial stream length or the stream bed acreages listed in the table below at each crossing. Road crossings with permanent losses greater than 500 linear feet of intermittent or perennial stream or the stream bed acreages listed in the table below associated with new alignments or realignments will be evaluated as an individual permit (i.e., a Letter of Permission or Standard Permit).

Table of Acreages at Varying Stream Widths for 500 Linear Feet of Impact	
Stream Width (Feet)	Acres of Stream at Varying Widths for 500 Linear Feet of Stream
1	0.011
2	0.023
3	0.034
4	0.046
5	0.057
6	0.069
7	0.080
8	0.092
9	0.103
10	0.115

(ii) In addition to the notification requirements contained in NWP 14, the permittee must submit a PCN to the district engineer prior to commencing the activity for the permanent loss of greater than 300 linear feet of stream bed or the stream bed acreages listed in the table below. (See General Condition 32 and the definition of "loss of waters of the United States" in the Nationwide Permits for further information.)

Table of Acreages at Varying Stream Widths for 300 Linear Feet of Impact	
Stream Width (Feet)	Acres of Stream at Varying Widths for 300 Linear Feet of Stream
1	0.007
2	0.014
3	0.021
4	0.028
5	0.034
6	0.041
7	0.048
8	0.055
9	0.062
10	0.069

4. Notification in accordance with General Condition 32 is required to the Corps for all activities located in the following Section 10 waterways, to include the portion of their tributaries below the Ordinary High Water Mark or navigation pool, or otherwise subject to inundation, by the Section 10 waterway:

   - Mississippi River
   - Ohio River* (Mouth to Foster, KY) Mile 0 to 543.0
   - Licking River
   - Kentucky River
   - Salt River
   - Green River
   - Cumberland River
   - Tennessee River
   - Big Sandy River* (from 0.8 mile south of Cyrus, WV to Louisa, KY) Mile 9 to 26.83

   * Only within the Louisville District area of responsibility

5. Applications and requests should be submitted electronically utilizing the Regulatory Request System (RRS) or via email.

   i. To submit applications via the RRS, visit https://rrs.usace.army.mil/rrs. Click on the “Apply for a Permit” box and follow the prompted instructions to enter project information and submit electronic project files.

      The RRS can provide an avenue for the public to submit requests for pre-application meetings, jurisdictional determinations, and individual and general permits

ii. As an alternative, to submit applications or other requests via email, all documents should be saved as a PDF document, and then submitted as an attachment in an email to the appropriate email address found at https://www.lrd.usace.army.mil/Missions/Regulatory/Kentucky/ and in the table below:

District	Email
Louisville	CELRL.Door.To.The.Corps@usace.army.mil
Nashville	NashvilleRegulatory@usace.army.mil
Huntington	LRH.Permits@usace.army.mil
Memphis	CEMVMRegulatory@usace.army.mil

Your email should include the following:
a) Subject Line with the name of the applicant, type of request, and location (County and State). Example: RE: Doe, John, DA Permit Application, Jefferson County, KY
b) Brief description of the request and contact information (phone number, mailing address, and email address) for the applicant and/or their agent.
c) Project Location: Address and Latitude/Longitude in decimal degrees (e.g. 42.927883, -88.362576).

All forms that require signature must be digitally signed or signed manually, scanned and then sent electronically.

Electronic documents must have sufficient resolution to show project details. In order to have the highest quality documents, the original digital documents should be converted to PDF rather than providing scanned copies of original documents.

The electronic application and attached documents must not exceed 10 megabytes (10MB).

iii. In extenuating circumstances, hard copies of applications or other request may be mailed to the appropriate Corps office.

6. For all activities, the applicant shall review the U.S. Fish and Wildlife Service's IPaC website: http://ecos.fws.gov/ipac to determine if the activity might affect threatened and/or endangered species or designated critical habitat. If federally-listed species (or species proposed for listing) might be affected or in the vicinity of the activity or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), a PCN in accordance with General Condition 18 and 32 would be triggered and the official species list generated from the IPaC website must be submitted with the PCN.

7. Historic Properties: Under the National Historic Preservation Act (NHPA), the Corps must ensure no federal undertaking, including a Corps permit action,

which may affect historic resources, is commenced before the impacts of such action are considered and the Advisory Council on Historic Preservation and the State Historic Preservation Office (SHPO) are provided an opportunity to comment as required by the NHPA, 36 CFR 800, and 33 CFR 325, Appendix C. Consistent with NWP General Condition 20, historic properties information must be provided in the PCN if the proposed undertaking might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. All relevant information obtained from the SHPO must be submitted with the PCN.

8. Notification in accordance with General Condition 32 is required to the Corps for all activities to jurisdictional wetlands associated with >0.1 acre of permanent conversion of wetland habitat type when the project involves a regulated discharge of fill to Waters of the U.S.

Further information:

The Louisville District, Huntington District, Nashville District and Memphis District all have geographic areas of responsibility within the Commonwealth of Kentucky. To determine the appropriate district for your project location, you may utilize the regulatory boundary map on our website https://regulatory.ops.usace.army.mil/offices/.

Outstanding State or National Resource Water (OSNRWs), Exceptional Waters (EWs), and Coldwater Aquatic Habitat Waters (CAHs) are waters designated by the Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet. The list can be found at the following link: http://eppcapp.ky.gov/spwaters/

Designated Critical Habitat (DCH) under the Endangered Species Act is determined within the Commonwealth of Kentucky by the U.S. Fish and Wildlife Service. The current list of Kentucky's Threatened, Endangered, and Federal Candidate Species can be found at the following link: http://www.fws.gov/frankfort/EndangeredSpecies.html

Information on Pre-Construction Notification (PCN) can be found at NWP General Condition No. 32 in the Federal Register (See Volume 91, dated January 8, 2026, pp 768-886 for the text of Section C, Nationwide Permit General Conditions).

COORDINATING RESOURCE AGENCIES

Chief, Wetlands Regulatory Section
U.S. Environmental Protection Agency
Region IV
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303

Supervisor
U.S. Fish & Wildlife Service
JC Watts Federal Building, Room 265
330 West Broadway
Frankfort, Kentucky 40601

Supervisor
401 Water Quality Certification
Kentucky Division of Water
300 Sower Boulevard, 3rd Floor
Frankfort, KY 40601

Commissioner
Department of Fish and Wildlife Resources
#1 Sportsman's Lane
Frankfort, KY 40601

Executive Director and State Historic Preservation Officer
Kentucky Heritage Council
410 High Street
Frankfort, KY 40601

ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

General Certification--Nationwide Permit # 14
Linear Transportation Projects

This General Certification is issued **December 18, 2025**, in conformity with the requirements of Section 401 of the Clean Water Act of 1977, as amended (33 U.S.C. §1341), as well as Kentucky Statute KRS 224.16-050.

For this General Certification and all General Certifications of Nationwide Permits (NWP), the term 'surface water' is defined pursuant to 401 KAR Chapter 10, Section 1(72): Surface Waters means those waters having well-defined banks and beds, either constantly or intermittently flowing; lakes and impounded waters; marshes and wetlands; and any subterranean waters flowing in well-defined channels and having a demonstrable hydrologic connection with the surface. Lagoons used for waste treatment and effluent ditches that are situated on property owned, leased, or under valid easement by a permitted discharger are not considered to be surface waters of the Commonwealth.

As required by 40 CFR Part 121 – State Certification of Activities Requiring a Federal License or Permit, all conditions include a statement explaining why the condition is necessary to assure that any discharge authorized under the general permit will comply with water quality requirements and a citation to federal, state, or tribal law that authorizes the condition. The statements and citations are included with each condition. The statements are written entirely at the end of the certification under the section *Statements of Necessity*.

Agricultural operations, as defined by KRS 224.71-100(1) conducting activities pursuant to KRS 224.71-100 (3), (4), (5), (6), or 10 are deemed to have certification if they are implementing an Agriculture Water Quality Plan pursuant to KRS 224.71-145.

For all other operations, the Commonwealth of Kentucky hereby certifies under Section 401 of the Clean Water Act (CWA) that it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 10, established pursuant to Sections 301, 302, 303, 306 and 307 of the CWA, will not be violated for the activity covered under NATIONWIDE PERMIT 14, namely Linear Transportation Projects, provided that the conditions in this certification are met. Activities that do not meet the conditions of this General Certification require an Individual Section 401 Water Quality Certification.

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1. Activities occurring within surface waters assessed by the Kentucky Division of Water as designated Outstanding State Resource Waters, National Resource Waters, Cold Water Aquatic Habitat, Exceptional Waters, or identified as candidate Outstanding State Resource Waters or candidate Exceptional Waters are not authorized under this General Certification and require an Individual Certification. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(1), Section 1(2), & Section 1(3); and 401 KAR 10:031, Section 4(2) & Section 8] These surface waters can be identified using the 401 Water Quality Certification Web Viewer.

2. The activity will not occur within surface waters identified as perpetually-protected compensatory mitigation sites (e.g., deed restriction or conservation easement). [Statement C and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3); and 40 C.F.R. 230.97] Protected surface waters can be identified using the 401 Water Quality Certification Web Viewer.

3. Activities with cumulative temporary and permanent impacts greater than 300 linear feet of surface waters are not authorized under this General Certification and require an Individual Certification. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

4. Activities with cumulative temporary and permanent impacts greater than 0.25 acre of wetland are not authorized under this General Certification and require an Individual Certification. For purposes of this condition, cumulative impacts include the placement of fill in a wetland, the conversion of a wetland to non-wetland status, and the conversion from one wetland type to another. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

5. For projects involving multiple Nationwide Permits issued for individual crossings which are part of a single, larger transportation projects, the cumulative impacts of the entire project will be evaluated as one single Water Quality Certification. The use of multiple Nationwide Permits (“stacking”) for a single project does not disqualify the activity from General Certification coverage; however an Individual Certification is required if cumulative impacts exceed the threshold above. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

6. Stream realignment greater than 100 feet is not authorized under this General Certification and requires an Individual Certification. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

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7. Surface water impacts covered under this General Certification and undertaken by those persons defined as an agricultural operation under the Agricultural Water Quality Act must be completed in compliance with the Kentucky Agricultural Water Quality Plan (KAWQP). [Statements A and F and citations KRS 224.71-145(1), 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

8. Any temporary or permanent crossings must be constructed in a manner that does not impede natural water flow. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

9. The use of creek rock for bank stabilization; grouted rip-rap; unformed, poured grout; unformed, poured concrete; poured asphalt; or asphalt pieces is not authorized. Poured concrete or grout will be authorized under this General Certification when contained by tightly sealed forms or cells. [Statement A and citations 401 KAR 10:030, Section 1(3)(b) & 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

10. New stormwater detention/ retention basins constructed in surface waters are not authorized under this General Certification and require an Individual Certification. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

11. Modifications to stormwater detention/ retention basins resulting in the reduction in stream reach length or that cause impairment of flow of surface waters are not authorized under this General Certification and require an Individual Certification. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

12. Erosion and sedimentation pollution control plans and Best Management Practices (BMPs) must be designed, installed, and maintained in effective operating condition at all times during construction activities. [Statements A and D and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

13. Sediment and erosion control measures, such as check-dams constructed of any material, silt fencing, hay bales, etc., shall not be placed within surface waters, either temporarily or permanently, without prior written approval by the Kentucky Division of Water's Water Quality Certification Section. If placement of sediment and erosion control measures in surface waters is unavoidable, design and placement of temporary erosion control measures requires written approval from the Kentucky Division of Water's Water Quality Certification Section. All sediment and erosion control devices shall be removed and the natural grade restored within the completion timeline of the activities. [Statements A and D and citations KRS

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224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

14. Measures shall be taken to prevent or control spills of fuels, lubricants, or other toxic materials used in construction from entering surface waters. [Statements A and D and citations. [KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

15. Removal of riparian vegetation shall be limited to that necessary for equipment access. [Statements A and D and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

16. To the maximum extent practicable, all in-stream work under this certification shall be performed under low-flow conditions [Statements A and D and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

17. Heavy equipment (e.g., bulldozers, backhoes, and draglines), if required for this project, should not be used or operated within the stream channel. In those instances in which such in-stream work is unavoidable, then it shall be performed in such a manner and duration as to minimize turbidity and disturbance to substrates and bank or riparian vegetation. [Statements A and D and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

18. Any fill shall be of such composition that it will not adversely affect the biological, chemical, or physical properties of the receiving waters and/or cause violations of water quality standards. If rip-rap is utilized, it should be of such weight and size that bank stress or slump conditions will not be created because of its placement. [Statements A and D and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

19. If domestic water supply intakes are located downstream that may be affected by increased turbidity and suspended solids, the permittee shall notify the operator when such work will be done prior to construction. [Statement E and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

20. If this activity causes a spill, stream pollution, wetland damage, or any violation of water quality standards, you must immediately notify the Kentucky Division of Water at (800) 928-2380. [Statement A and D and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

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21. Federal applicants who are not required to submit a Preconstruction Notification (PCN) under the federal permitting process must still submit a formal application to the Kentucky Division of Water if a non-federal applicant would typically be required to do so. For example, federal agencies that permit their own projects (such as the U.S. Army Corps of Engineers) are still required to submit a state application for review and approval. [Statements A and D and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

22. The Kentucky Division of Water may require submission of a formal application for an Individual Certification for any project that has been determined to likely have a significant adverse effect upon water quality or degrade surface waters to the extent that existing uses of the water body or downstream waters are no longer supported. [Statement A and citations KRS 224.70-110, 401 KAR 10:030, Section 1(3)(b) & Section 1(4)(b); and 401 KAR 10:031, Section 2 & Section 4]

Statements of Necessity:

A. This condition is necessary to protect waters categorized under the anti-degradation policy to protect the designated and existing uses and to maintain the associated water quality criteria necessary to protect these water resources.

B. This condition is necessary to protect existing uses and the level of water quality necessary to protect those existing uses shall be assured in impaired water.

C. This condition is necessary for long-term protection of compensatory mitigation sites.

D. This condition is necessary to provide for the prevention, abatement, and control of all water pollution and to conserve water resources for legitimate uses, safeguard from pollution the uncontaminated waters, prevent the creation of any new pollution, and abate any existing pollution.

E. This condition is necessary to protect domestic water supply use.

F. This condition is necessary to evaluate, develop, and improve best-management practices in conservation plans, compliance plans, and forest stewardship management plans; establish statewide and regional agriculture water quality plans; and otherwise promote soil and water conservation activities that protect surface waters from the adverse impacts of agriculture operations within the Commonwealth.

Violation of Kentucky state water quality standards may result in civil penalties and remediation actions.

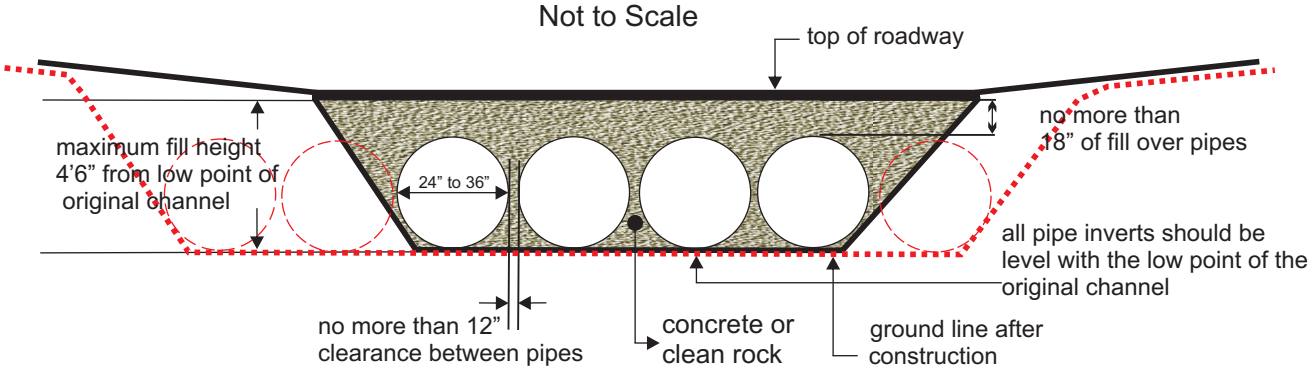
For assistance contact the Kentucky Division of Water, Water Quality Certification Section by email (401WQC@ky.gov) or by phone (502)-564-3410.

Guidelines for Low Water Crossing

1. There shall be a maximum fill height of four and one-half (4½) feet measured from the channel bottom to the top of the proposed crossing.
2. The pipes used for the proposed crossing shall not be less than 24" in diameter or more than 36" in diameter.
3. There shall not be more than one (1) foot spacing between the pipes measured between the outside edges of the pipes.
4. As many pipes as possible shall be placed within the stream banks.
5. Fill material used to cover the pipes shall be composed entirely of clean rock or concrete. No soil shall be allowed in the fill.
6. All pipes shall be laid flush with the bottom of the stream channel.
7. The maximum cover over the top of the pipe shall not be greater than eighteen (18) inches.

Standard Drawing

Not to Scale



Notes:

1. This is a conceptual drawing. The number and size of pipes and other details will vary depending on specific site conditions.
2. The pipes and backfill must be contained within the stream channel as shown above. During the construction of the approaches and access roadway across the floodplain, unstable and unconsolidated materials unsuitable for roadways may be excavated and replaced with riprap, crushed stone, or other stable road construction materials. This may only be done, however, with the following provisions: (1) the disposal of excess, unconsolidated materials thus excavated must be outside of the floodplain and (2) the finished surface of the completed road may be no more than three inches (3") above the pre-construction surface of the floodplain at any point beyond the top of banks.

Kentucky Transportation Cabinet

Highway District 7 (1)

And

_____(2), Construction

Kentucky Pollutant Discharge Elimination System Permit KYR10 Best Management Practices (BMP) plan

Groundwater protection plan

For Highway Construction Activities

For

KY 1991 from Maysville Rd to Midland Ave (1)

Project: CID ## -

Revised 3/4/2016

Project information

Note – (1) = Design (2) = Construction (3) = Contractor

1. Owner – Kentucky Transportation Cabinet, District 7 (1)
2. Resident Engineer: (2)
3. Contractor name: (2)
   Address: (2)

   Phone number: (2)
   Contact: (2)
   Contractors agent responsible for compliance with the KPDES permit requirements (3):
4. Project Control Number (2)
5. Route: KY 1991 (Hinkston Pike) (1)
6. Latitude/Longitude (project mid-point): 38/04/38 North, 83/56/03 West (1)
7. County (project mid-point): Montgomery (1)
8. Project start date (date work will begin): (2)
9. Projected completion date: (2)

A. Site description:

1. Nature of Construction Activity: Grade, Drain, and Surface Plans (1)

2. Order of major soil disturbing activities (2) and (3)

3. Projected volume of material to be moved: 13,080 CY Embankment in Place; 28,188 CY Excavation (1)

4. Estimate of total project area: 14.74 acres (1)

5. Estimate of area to be disturbed: 14.74 acres (1)

6. Post construction runoff coefficient will be included in the project drainage folder. Persons needing information pertaining to the runoff coefficient will contact the resident engineer to request this information. (1)

7. Data describing existing soil condition: The soil testing showed the soil types for the project to be fine grained, silty and sandy clays (CL and CH in the Unified Soil Classification System). It should be noted that the soils on this project are very moisture sensitive. (1) & (2)

8. Data describing existing discharge water quality (if any): (1) & (2)

9. Receiving water name: Hinkston Creek (1)

10. TMDLs and Pollutants of Concern in Receiving Waters: (1 DEA)

11. Site map – Project layout sheet plus the erosion control sheets in the project plans that depict Disturbed Drainage Areas (DDAs) and related information. These sheets depict the existing project conditions with areas delineated by DDA (drainage area bounded by watershed breaks and right of way limits), the storm water discharge locations (either as a point discharge or as overland flow) and the areas that drain to each discharge point. These plans define the limits of areas to be disturbed and the location of control measures. Controls will be either site specific as designated by the designer or will be annotated by the contractor and resident engineer before disturbance commences. The project layout sheet shows the surface waters and wetlands.

12. Potential sources of pollutants:

    The primary source of pollutants is solids that are mobilized during storm events. Other sources of pollutants include oil/fuel/grease from servicing and operating construction equipment, concrete washout water, sanitary wastes and trash/debris. (3)

B. Sediment and Erosion Control Measures:

1. Plans for highway construction projects will include erosion control sheets that depict Disturbed Drainage Areas (DDAs) and related information. These plan sheets will show the existing project conditions with areas delineated by DDA within the right of way limits, the discharge points and the areas that drain to each discharge point. Project managers and designers will analyze the DDAs and identify Best Management Practices (BMPs) that are site specific. The balance of the BMPs for the project will be listed in the bid documents for selection and use by the contractor on the project with approval by the resident engineer.

   Projects that do not have DDAs annotated on the erosion control sheets will employ the same concepts for development and managing BMP plans.

2. Following award of the contract, the contractor and resident engineer will annotate the erosion control sheets showing location and type of BMPs for each of the DDAs that will be disturbed at the outset of the project. This annotation will be accompanied by an order of work that reflects the order or sequence of major soil moving activities. The remaining DDAs are to be designated as “Do Not Disturb” until the contractor and resident engineer prepare the plan for BMPs to be employed. The initial BMP’s shall be for the first phase (generally Clearing and Grubbing) and shall be modified as needed as the project changes phases. The BMP Plan will be modified to reflect disturbance in additional DDA’s as the work progresses. <u>All DDA’s will have adequate BMP’s in place before being disturbed.</u>

3. As DDAs are prepared for construction, the following will be addressed for the project as a whole or for each DDA as appropriate:

   - Construction Access – This is the first land-disturbing activity. As soon as construction begins, bare areas will be stabilized with gravel and temporary mulch and/or vegetation.

- At the beginning of the project, all DDAs for the project will be inspected for areas that are a source of storm water pollutants. Areas that are a source of pollutants will receive appropriate cover or BMPs to arrest the introduction of pollutants into storm water. Areas that have not been opened by the contractor will be inspected periodically (once per month) to determine if there is a need to employ BMPs to keep pollutants from entering storm water.
- Clearing and Grubbing – The following BMP's will be considered and used where appropriate.
    - Leaving areas undisturbed when possible.
    - Silt basins to provide silt volume for large areas.
    - Silt Traps Type A for small areas.
    - Silt Traps Type C in front of existing and drop inlets which are to be saved
    - Diversion ditches to catch sheet runoff and carry it to basins or traps or to divert it around areas to be disturbed.
    - Brush and/or other barriers to slow and/or divert runoff.
    - Silt fences to catch sheet runoff on short slopes. For longer slopes, multiple rows of silt fence may be considered.
    - Temporary Mulch for areas which are not feasible for the fore mentioned types of protections.
    - Non-standard or innovative methods.
- Cut & Fill and placement of drainage structures - The BMP Plan will be modified to show additional BMP's such as:
    - Silt Traps Type B in ditches and/or drainways as they are completed
    - Silt Traps Type C in front of pipes after they are placed
    - Channel Lining
    - Erosion Control Blanket
    - Temporary mulch and/or seeding for areas where construction activities will be ceased for 21 days or more.
    - Non-standard or innovative methods
- Profile and X-Section in place – The BMP Plan will be modified to show elimination of BMP's which had to be removed and the addition of new BMP's as the roadway was shaped. Probably changes include:
    - Silt Trap Type A, Brush and/or other barriers, Temporary Mulch, and any other BMP which had to be removed for final grading to take place.
    - Additional Silt Traps Type B and Type C to be placed as final drainage patterns are put in place.
    - Additional Channel Lining and/or Erosion Control Blanket.
    - Temporary Mulch for areas where Permanent Seeding and Protection cannot be done within 21 days.
    - Special BMP's such as Karst Policy

- Finish Work (Paving, Seeding, Protect, etc.) – A final BMP Plan will result from modifications during this phase of construction. Probably changes include:
  - Removal of Silt Traps Type B from ditches and drainways if they are protected with other BMP's which are sufficient to control erosion, i.e. Erosion Control Blanket or Permanent Seeding and Protection on moderate grades.
  - Permanent Seeding and Protection
  - Placing Sod
  - Planting trees and/or shrubs where they are included in the project
- BMP's including Storm Water Management Devices such as velocity dissipation devices and Karst policy BMP's to be installed during construction to control the pollutants in storm water discharges that will occur after construction has been completed are : None (1)

C. Other Control Measures

1. No solid materials, including building materials, shall be discharged to waters of the commonwealth, except as authorized by a Section 404 permit.

2. Waste Materials

All waste materials that may leach pollutants (paint and paint containers, caulk tubes, oil/grease containers, liquids of any kind, soluble materials, etc.) will be collected and stored in appropriate covered waste containers. Waste containers shall be removed from the project site on a sufficiently frequent basis as to not allow wastes to become a source of pollution. All personnel will be instructed regarding the correct procedure for waste disposal. Wastes will be disposed in accordance with appropriate regulations. Notices stating these practices will be posted in the office.

3. Hazardous Waste

All hazardous waste materials will be managed and disposed of in the manner specified by local or state regulation. The contractor shall notify the Section Engineer if there any hazardous wastes being generated at the project site and how these wastes are being managed. Site personnel will be instructed with regard to proper storage and handling of hazardous wastes when required. The Transportation Cabinet will file for generator, registration when appropriate, with the Division of Waste Management and advise the contractor regarding waste management requirements.

4. Spill Prevention

The following material management practices will be used to reduce the risk of spills or other exposure of materials and substances to the weather and/or runoff.

- **Good Housekeeping:**

The following good housekeeping practices will be followed onsite during the construction project.

- An effort will be made to store only enough product required to do the job
- All materials stored onsite will be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure
- Products will be kept in their original containers with the original manufacturer's label
- Substances will not be mixed with one another unless recommended by the manufacturer
- Whenever possible, all of the product will be used up before disposing of the container
- Manufacturers' recommendations for proper use and disposal will be followed
- The site contractor will inspect daily to ensure proper use and disposal of materials onsite

- **Hazardous Products:**

These practices will be used to reduce the risks associated with any and all hazardous materials.

- Products will be kept in original containers unless they are not resealable
- Original labels and material safety data sheets (MSDS) will be reviewed and retained
- Contractor will follow procedures recommended by the manufacturer when handling hazardous materials
- If surplus product must be disposed of, manufacturers' or state/local recommended methods for proper disposal will be followed

The following product-specific practices will be followed onsite:

- **Petroleum Products:**

Vehicles and equipment that are fueled and maintained on site will be monitored for leaks, and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products onsite will be stored in tightly sealed containers, which are clearly labeled and will be protected from exposure to weather.

The contractor shall prepare an Oil Pollution Spill Prevention Control and Countermeasure plan when the project that involves the storage of petroleum products in 55 gallon or larger containers with a total combined storage capacity of 1,320 gallons. This is a requirement of 40 CFR 112.

This project (will / will not) (3) have over 1,320 gallons of petroleum products with a total capacity, sum of all containers 55 gallon capacity and larger.

- **Fertilizers:**

Fertilizers will be applied at rates prescribed by the contract, standard specifications or as directed by the resident engineer. Once applied, fertilizer will be covered with mulch or blankets or worked into the soil to limit exposure to storm water. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

- **Paints:**

All containers will be tightly sealed and stored indoors or under roof when not being used. Excess paint or paint wash water will not be discharged to the drainage or storm sewer system but will be properly disposed of according to manufacturers' instructions or state and local regulations.

- **Concrete Truck Washout:**

Concrete truck mixers and chutes will not be washed on pavement, near storm drain inlets, or within 75 feet of any ditch, stream, wetland, lake, or sinkhole. Where possible, excess concrete and wash water will be discharged to areas prepared for pouring new concrete, flat areas to be paved that are away from ditches or drainage system features, or other locations that will not drain off site. Where this approach is not possible, a shallow earthen wash basin will be excavated away from ditches to receive the wash water

- **Spill Control Practices**

In addition to the good housekeeping and material management practices discussed in the previous sections of this plan, the following practices will be followed for spill prevention and cleanup**:**

- Manufacturers' recommended methods for spill cleanup will be clearly posted. All personnel will be made aware of procedures and the location of the information and cleanup supplies.
- Materials and equipment necessary for spill cleanup will be kept in the material storage area. Equipment and materials will include as appropriate, brooms, dust pans, mops, rags, gloves, oil absorbents, sand, sawdust, and plastic and metal trash containers.
- All spills will be cleaned up immediately after discovery.
- The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contract with a hazardous substance.
- Spills of toxic or hazardous material will be reported to the appropriate state/local agency as required by KRS 224 and applicable federal law.
- The spill prevention plan will be adjusted as needed to prevent spills from reoccurring and improve spill response and cleanup.
- Spills of products will be cleaned up promptly. Wastes from spill clean up will be disposed in accordance with appropriate regulations.

D. Other State and Local Plans

This BMP plan shall include any requirements specified in sediment and erosion control plans, storm water management plans or permits that have been approved by other state or local officials. Upon submittal of the NOI, other requirements for surface water protection are incorporated by reference into and are enforceable under this permit (even if they are not specifically included in this BMP plan). This provision does not apply to master or comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit issued for the construction site by state or local officials. (1)

E. Maintenance

1. The BMP plan shall include a clear description of the maintenance procedures necessary to keep the control measures in good and effective operating condition.

- Maintenance of BMPs during construction shall be a result of weekly and post rain event inspections with action being taken by the contractor to correct deficiencies.

- Post Construction maintenance will be a function of normal highway maintenance operations. Following final project acceptance by the cabinet, district highway crews will be responsible for identification and correction of deficiencies regarding ground cover and cleaning of storm water BMPs. The project manager shall identify any BMPs that will be for

the purpose of post construction storm water management with specific guidance for any non-routine maintenance. (1)

F. Inspections

Inspection and maintenance practices that will be used to maintain erosion and sediment controls:

- All erosion prevention and sediment control measures will be inspected at least once each week and following any rain of one-half inch or more.
- Inspections will be conducted by individuals that have successfully completed the KEPSC-RI course as required by Section 213.02.02 of the Standard Specifications for Road and Bridge Construction, current edition.
- Inspection reports will be written, signed, dated, and kept on file.
- Areas at final grade will be seeded and mulched within 14 days.
- Areas that are not at final grade where construction has ceased for a period of 21 days or longer and soil stock piles shall receive temporary mulch no later than 14 days from the last construction activity in that area.
- All measures will be maintained in good working order; if a repair is necessary, it will be initiated within 24 hours of being reported.
- Built-up sediment will be removed from behind the silt fence before it has reached halfway up the height of the fence.
- Silt fences will be inspected for bypassing, overtopping, undercutting, depth of sediment, tears, and to ensure attachment to secure posts.
- Sediment basins will be inspected for depth of sediment, and built-up sediment will be removed when it reaches 50 percent of the design capacity and at the end of the job.
- Diversion dikes and berms will be inspected and any breaches promptly repaired. Areas that are eroding or scouring will be repaired and re-seeded / mulched as needed.
- Temporary and permanent seeding and mulching will be inspected for bare spots, washouts, and healthy growth. Bare or eroded areas will be repaired as needed.
- All material storage and equipment servicing areas that involve the management of bulk liquids, fuels, and bulk solids will be inspected weekly for conditions that represent a release or possible release of pollutants to the environment.

G. Non – Storm Water discharges

It is expected that non-storm water discharges may occur from the site during the construction period. Examples of non-storm water discharges include:

- Water from water line flushings.
- Water form cleaning concrete trucks and equipment.
- Pavement wash waters (where no spills or leaks of toxic or hazardous materials have occurred).
- Uncontaminated groundwater and rain water (from dewatering during excavation).

All non-storm water discharges will be directed to the sediment basin or to a filter fence enclosure in a flat vegetated infiltration area or be filtered via another approved commercial product.

H. Groundwater Protection Plan (3)

This plan serves as the groundwater protection plan as required by 401 KAR 5:037.

- Contractors statement: (3)

The following activities, as enumerated by 401 KAR 5:037 Section 2 that require the preparation and implementation of a groundwater protection plan, will or may be may be conducted as part of this construction project:

_____ 2. (e) land treatment or land disposal of a pollutant;

_____ 2. (f) Storing, …, or related handling of hazardous waste, solid waste or special waste, …, in tanks, drums, or other containers, or in piles, (This does not include wastes managed in a container placed for collection and removal of municipal solid waste for disposal off site);

_____ 2. (g) …. Handling of materials in bulk quantities (equal or greater than 55 gallons or 100 pounds net dry weight transported held in an individual container) that, if released to the environment, would be a pollutant;

_____ 2. (j) Storing or related handling of road oils, dust suppressants, …., at a central location;

_____ 2. (k) Application or related handling of road oils, dust suppressants or deicing materials, (does not include use of chloride-based deicing materials applied to roads or parking lots);

_____ 2. (m) Installation, construction, operation, or abandonment of wells, bore holes, or core holes, (this does not include bore holes for the purpose of explosive demolition);

Or, check the following only if there are no qualifying activities

_____ There are no activities for this project as listed in 401 KAR 5:037 Section 2 that require the preparation and implementation of a groundwater protection plan.

The contractor is responsible for the preparation of a plan that addresses the

401 KAR 5:037 Section 3. (3) Elements of site specific groundwater protection plan:

(a) General information about this project is covered in the Project information;
(b) Activities that require a groundwater protection plan have been identified above;
(c) Practices that will protect groundwater from pollution are addressed in section C. Other control measures.
(d) Implementation schedule – all practices required to prevent pollution of groundwater are to be in place prior to conducting the activity;
(e) Training is required as a part of the ground water protection plan. All employees of the contractor, sub-contractor and resident engineer personnel will be trained to understand the nature and requirements of this plan as they pertain to their job function(s). Training will be accomplished within one week of employment and annually thereafter. A record of training will be maintained by the contractor with a copy provide to the resident engineer.
(f) Areas of the project and groundwater plan activities will be inspected as part of the weekly sediment and erosion control inspections
(g) Certification (see signature page.)

KyTC BMP Plan for Project CID ## -

Contractor and Resident Engineer Plan certification

The contractor that is responsible for implementing this BMP plan is identified in the Project Information section of this plan.

The following certification applies to all parties that are signatory to this BMP plan:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Further, this plan complies with the requirements of 401 KAR 5:037. By this certification, the undersigned state that the individuals signing the plan have reviewed the terms of the plan and will implement its provisions as they pertain to ground water protection.

Resident Engineer and Contractor Certification:

(2) Resident Engineer signature

Signed _____title_____, _____
Typed or printed name[2] signature

(3) Signed _____title_____, _____
Typed or printed name[1] signature

1. Contractors Note: to be signed by a person who is the owner, a responsible corporate officer, a general partner or the proprietor or a person designated to have the authority to sign reports by such a person in accordance with 401 KAR 5:060 Section 9. This delegation shall be in writing to: Manager, KPDES Branch, Division of Water, 14 Reilly Road, Frankfort Kentucky 40601. Reference the Project Control Number (PCN) and KPDES number when one has been issued.

2. KyTC note: to be signed by the Chief District Engineer or a person designated to have the authority to sign reports by such a person (usually the resident engineer) in accordance with 401 KAR 5:060 Section 9. This delegation shall be in writing to: Manager, KPDES Branch, Division of Water, 14 Reilly Road, Frankfort Kentucky 40601 Reference the Project Control Number (PCN) and KPDES number when one has been issued.

Sub-Contractor Certification

The following sub-contractor shall be made aware of the BMP plan and responsible for implementation of BMPs identified in this plan as follows:

Subcontractor

Name:
Address:
Address:

Phone:

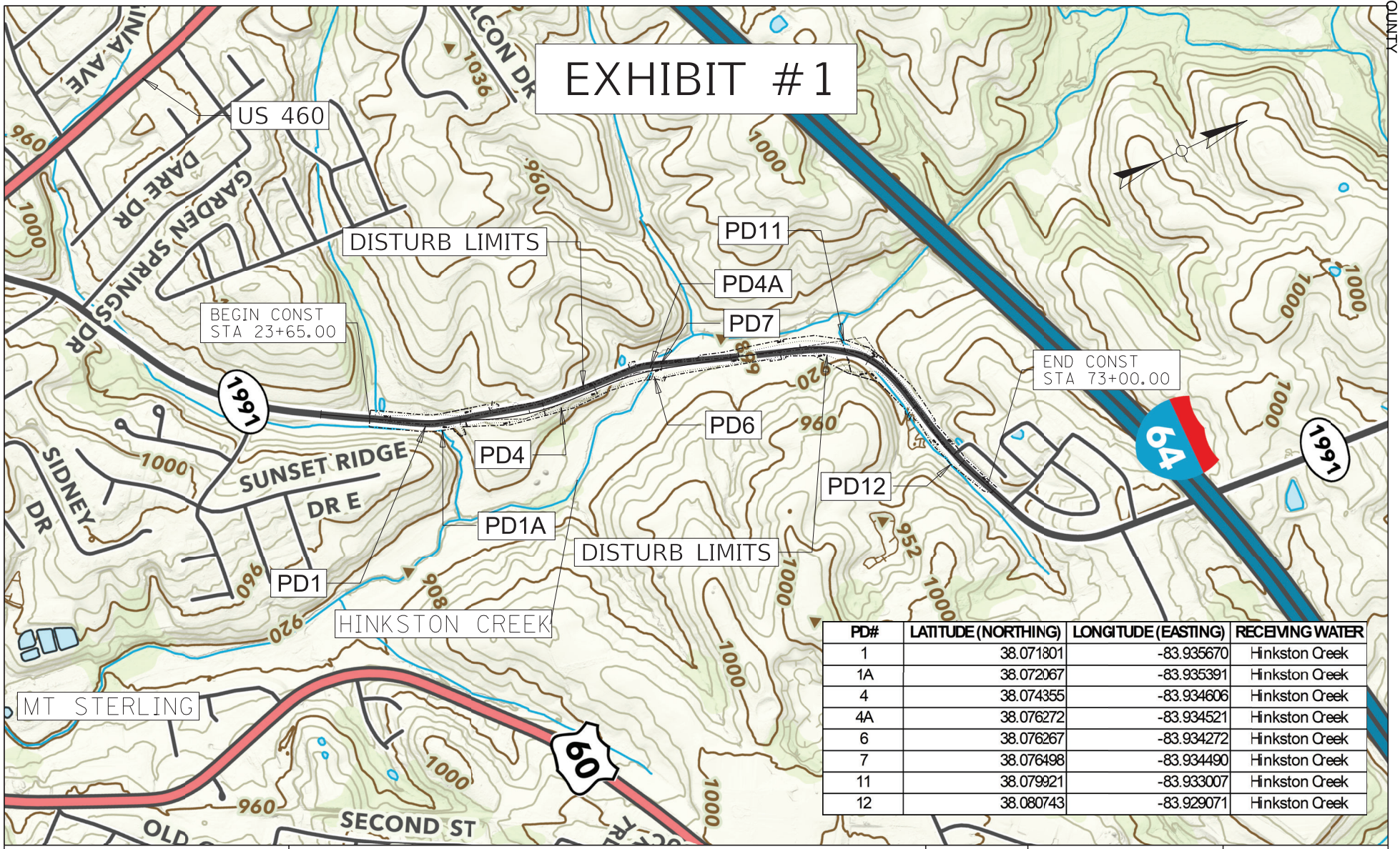
The part of BMP plan this subcontractor is responsible to implement is:

I certify under penalty of law that I understand the terms and conditions of the general Kentucky Pollutant Discharge Elimination System permit that authorizes the storm water discharges, the BMP plan that has been developed to manage the quality of water to be discharged as a result of storm events associated with the construction site activity and management of non-storm water pollutant sources identified as part of this certification.

Signed _____title_____, _____
Typed or printed name[1] signature

1. Sub Contractor Note: to be signed by a person who is the owner, a responsible corporate officer, a general partner or the proprietor or a person designated to have the authority to sign reports by such a person in accordance with 401 KAR 5:060 Section 9. This delegation shall be in writing to: Manager, KPDES Branch, Division of Water, 14 Reilly Road, Frankfort Kentucky 40601. Reference the Project Control Number (PCN) and KPDES number when one has been issued.

EXHIBIT #1



PD#	LATITUDE (NORTHING)	LONGITUDE (EASTING)	RECEIVING WATER
1	38.071801	-83.935670	Hinkston Creek
1A	38.072067	-83.935391	Hinkston Creek
4	38.074355	-83.934606	Hinkston Creek
4A	38.076272	-83.934521	Hinkston Creek
6	38.076267	-83.934272	Hinkston Creek
7	38.076498	-83.934490	Hinkston Creek
11	38.079921	-83.933007	Hinkston Creek
12	38.080743	-83.929071	Hinkston Creek

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF HIGHWAYS
TEAM KENTUCKY

DRAWING TITLE: Exhibit #1: Facility Location Map

HORIZONTAL SCALE
SCALE: 1"=300'

0' 300' 600' 1200'

ITEM NO. 07-240.00
COUNTY OF MONTGOMERY
SHEET NO. Facility Location Map

OpenRoads Designer v23.00.01.11
USER: Nick.Beasmore
FILE NAME: C:\PWWORK\NICK.BEASMORE\D2351385\FACILITY LOCATION MAP.DGN
DATE: 8/28/2026 12:41:45 PM

EXHIBIT #2

7-240.00
KY 1991 from Maysville Rd to Midland
Grade, Drain, and Surfacing
Montgomery County

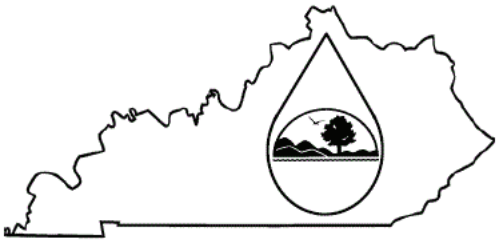
KPDES NOI for Stormwater Discharges Associated with Construction Activity Under the KPDES General Permit

Transaction ID:

900fbb7e-f18c-4a99-a66d-93300d4c4ce1

Submittal ID:

605384



KENTUCKY POLLUTION DISCHARGE ELIMINATION SYSTEM (KPDES)

Notice of Intent (NOI) for coverage of Storm Water Discharge Associated with Construction Activities Under the KPDES Storm Water General Permit KYR100000

Click here for Instructions

Click here to obtain information and a copy of the KPDES General Permit.

(*) indicates a required field; (✓) indicates a field may be required based on user input or is an optionally required field

Reason for Submittal:(*)	Agency Interest ID:	Permit Number:(✓)
Application for New Permit Cove...		

ELIGIBILITY:
Stormwater discharges associated with construction activities disturbing individually one (1) acre or more, including, in the case of a common plan of development, contiguous construction activities that cumulatively equal one (1) acre or more of disturbance.

COVERAGE:
Applicants shall complete and submit the eNOI-SWCA a minimum of seven (7) days before the proposed date for commencement of construction activities. Applicants shall receive written notification from the Division of Water before being authorized to discharge under the terms of the KYR10 General Permit.

EXCLUSIONS:
The following are excluded from coverage under this general permit:
1) Are conducted at or on properties that have obtained an individual KPDES permit for the discharge of other wastewaters which requires the development and implementation of a Best Management Practices (BMP) plan;
2) Any operation that the DOW determines an individual permit would better address the discharges from that operation;
3) Any project that discharges to an Impaired Water listed in the most recent Integrated Report, §305(b) as impaired for sediment and for which an approved TMDL has been developed.

SECTION I -- FACILITY OPERATOR INFORMATION (PERMITTEE)

Company Name:(✓)	First Name:(✓)	M.I.:	Last Name:(✓)
KY Transportation Cabinet - District 7	Kelly	A	Baker

Mailing Address:(*)	City:(*)	State:(*)	Zip:(*)
800 Newtown Ct	Lexington	Kentucky	40511-____

eMail Address:(*)	Business Phone:(*)	Alternate Phone:
kellya.baker@ky.gov	859-246-2355	

Additional Facility Operator information(Co-Permittee) required ?(*)

No

SECTION II -- GENERAL SITE LOCATION INFORMATION

Project Name:(*)	Status of Owner/Operator(*)	SIC Code(*)
KY 1991 from Maysville Rd to Midland Ave	State Government	1611 Highway and St...

Company Name:(✓)	First Name:(✓)	M.I.:	Last Name:(✓)
KY Transportation Cabinet - District 7	Kelly	A	Baker

Site Physical Address:(*)

KY 1991 (Hinkston Pike)

City:(*) Mt Sterling

State:(*) Kentucky

Zip:(*) 40353-

County:(*) Montgomery

Latitude(decimal degrees)(*)DMS to DD Converter 38.077222

Longitude(decimal degrees)(*) -83.934167

SECTION III -- SPECIFIC SITE ACTIVITY INFORMATION

Project Description:(*)

Grade, Drain, and Surfacing

Was the pre-development land used for agriculture ?(*) No

Will there be demolition of any structure built or renovated before January 1, 1980 ?(*) No

Select the type of construction site (check all that apply)(*)

- [ ] Single-Family Residential
- [ ] Multi-Family Residential
- [ ] Commercial
- [ ] Industrial
- [ ] Institutional
- [x] Highway or Road
- [ ] Utility
- [ ] Other

- [x] a. For single projects provide the following information(✓)

Total Number of Acres in Project:(*) 14.74

Total Number of Acres Disturbed:(*) 14.74

Anticipated Start Date:(*) 12/01/2026

Anticipated Completion Date:(*) 11/30/2027

- [ ] b. For common plans of development provide the following information(✓)

SECTION IV -- INFORMATION IS ALWAYS REQUIRED FOR ONSITE POINT OF DISCHARGE AND RECEIVING WATER

Discharge Point(s):(*)

Unnamed Tributary?	Latitude	Longitude	Receiving Water Name	X
No	38.080743	-83.929071	Hinkston Creek	✕ Delete
No	38.079921	-83.933007	Hinkston Creek	✕ Delete
No	38.076498	-83.934490	Hinkston Creek	✕ Delete
No	38.076267	-83.934272	Hinkston Creek	✕ Delete
No	38.076272	-83.934521	Hinkston Creek	✕ Delete
No	38.074355	-83.934606	Hinkston Creek	✕ Delete
No	38.072067	-83.935391	Hinkston Creek	✕ Delete

Unnamed Tributary?	Latitude	Longitude	Receiving Water Name	X
No	38.071801	-83.935670	Hinkston Creek	✕ Delete

SECTION V -- Section V MUST BE COMPLETED IF WITHIN A MS4 AREA

Name of MS4:

Select ...

SECTION VI -- WILL THE PROJECT REQUIRE CONSTRUCTION ACTIVITIES IN A WATER BODY, FLOODPLAIN OR THE RIPARIAN ZONE?

Will the project require construction activities in a water body, floodplain or the riparian zone?:(*)	Yes
If Yes, describe scope of activity: (✓)	Construct a 40' PPCDU Bridge; construct a 36" Culvert.
Is a Clean Water Act 404 permit required?:(*)	Yes
Is a Clean Water Act 401 Water Quality Certification required?:(*)	Yes

SECTION VII -- NOI PREPARER INFORMATION ☐ same as FACILITY OPERATOR INFORMATION

Company Name:	First Name:(*)	M.I.:	Last Name:(*)
KY Transportation Cabinet - District 7	Nicholas		Beasmore

Mailing Address:(*)	City:(*)	State:(*)	Zip:(*)
800 Newtown Ct	Lexington	Kentucky	40511-___

eMail Address:(*)	Business Phone:(*)	Alternate Phone:
nick.beasmore@ky.gov	502-564-2274	859-246-2355

SECTION VIII -- ATTACHMENTS

Facility Location Map:(*)	07_240_00_eNOI_Exhibit_1_Location_Map.pdf
Supplemental Information:	07_240_00_eNOI_Exhibit_2.doc.docx

SECTION IX -- CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature:(*)	Title:(*)
Kelly Baker	Chief District Engineer

First Name:(*)	M.I.:	Last Name:(*)
Kelly	A	Baker

eMail Address:(*)	Business Phone:(*)	Alternate Phone:	Signature Date:(*)
kellya.baker@ky.gov	859-246-2355		09/01/20...

Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
300 Sower Boulevard
Frankfort, Kentucky 40601
Phone: (502) 564-2150
Fax: 502-564-4245

John S. Lyons
SECRETARY

Amanda W. LeFevre
COMMISSIONER

September 4, 2026

Kelly Baker
KYTC District 7
800 Newtown Ct
Lexington, KY 40512

Re: KYR10 Coverage Acknowledgment
KPDES No.: KYR10V047
KY 1991 from Maysville Rd to Midland Ave
Permit Type: Construction Stormwater
AI ID: 191627
Montgomery County, Kentucky

Dear Kelly Baker :

The discharges associated with the Notice of Intent you submitted have been approved for coverage under the "Kentucky Pollutant Discharge Elimination System (KPDES) General Permit for Storm Water Discharges Associated with Construction Activities (KYR100000)" master general permit. Your coverage becomes effective on the date of this letter. This coverage automatically terminates two years from the effective date of your coverage unless an extension is requested prior to the termination date, or the Division of Water revokes coverage, whichever comes first. During this period of coverage all discharges shall comply with the conditions of the KYR100000 master general permit. This permit and links to the eNOI (and permit coverage extension) and eNOT forms can be found on our website:
https://eec.ky.gov/Environmental-Protection/Water/PermitCert/KPDES/Documents/KYR10PermitPage.pdf.

Any person aggrieved by the issuance of a permit final decision may demand a hearing pursuant to KRS 224.10-420(2) within thirty (30) days from the date of the issuance of this letter. Any demand for a hearing on the permit shall be filed in accordance with the procedures specified in KRS 224.10-420, 224.10-440, 224.10-470, and the regulations promulgated thereto. The request for hearing should be submitted in writing to the Energy and Environment Cabinet, Office of Administrative Hearings, 211 Sower Boulevard, Frankfort, Kentucky 40601 and the Commonwealth of Kentucky, Energy and Environment Cabinet, Division of Water, 300 Sower Boulevard, Frankfort, Kentucky 40601. For your record keeping purposes, it is recommended that these requests be sent by certified mail. The written request must conform to the appropriate statutes referenced above.

Any questions concerning the general permit and its requirements should be directed to me at 502-782-1363 or email me at joy.haden@ky.gov

Construction Site GPS Coordinates: 38.077222, -83.934167
Receiving Water: Hinkston Creek

Sincerely,

Joy Haden
Surface Water Permits Branch
Division of Water

cc: Nicholas Beasmore , eNOI Preparer
Daniel Fraley, Morehead Regional Office

SPECIAL NOTE

Filing of eNOI for KPDES Construction Stormwater Permit

County: **Route:**
Item No.: **KDOW Submittal ID:**
Project Description:

A Notice of Intent for obtaining coverage under the Kentucky Pollutant Discharge Elimination System (KPDES) General Permit for Stormwater Discharges Associated with Construction Activities (KYR10) has been drafted, copy of which is attached. Upon award, the Contractor will be identified in Section III of the form as the "Building Contractor" and it will be submitted for approval to the Kentucky Division of Water. The Contractor shall be responsible for advancing the work in a manner that is compliant with all applicable and appropriate KYTC specifications for sediment and erosion control as well as meeting the requirements of the KYR10 permit and the KDOW.

If there are any questions regarding this note, please contact David Waldner, Director, Division of Environmental Analysis, TCOB, 200 Mero Street, Frankfort, KY 40622, Phone: (502) 564-7250.

KENTUCKY TRANSPORTATION CABINET
COMMUNICATING ALL PROMISES (CAP)

Item No. 7 - 240 **County: Montgomery** **Route: 1,991** **Project Manager: CONNOR JACKSON**

9/3/26

CAP #	Date of Promise	Promise made to:	Location of Promise:	CAP Description
1	9/15/14	Ananias Calvin III	D-7 Design	One concrete bridge will be removed and will require an ACM inspection.
2	9/15/14	Ananias Calvin III	D-7 Design	Indiana Bat and Northern Long-eared Bat impacts will either be avoided by seasonal tree cutting restrictions or mitigated with payment via the CMOA.
3	9/15/14	Ananias Calvin III	D-7 Design	A BNR permit application will need to be completed by DEA permits branch.
4	3/16/26	Connor Jackson	P-9 KENNY L. AMBURGEY & MARGARET AMBURGEY (WF.)	The Contractor agrees to notify the property owners 30 – 45 days prior to disconnection of their waterline in order for them to have installed any necessary waterline on their property to reconnect.
5	8/26/26	Connor Jackson	D-7 DESIGN	Proposed 18" diameter Concrete pipe is to be constructed of Concrete - No Alternate pipe materials are to be used.
6	8/26/26	Connor Jackson	D-7 Design	Proposed 18" diameter Concrete pipe at Station 69+50 is to be constructed of Concrete - No Alternate pipe materials are to be used.
7	8/26/26	Connor Jackson	D-7 Design	No blasting or explosives shall be permitted on the project site.
8	8/26/26	Connor Jackson	D-7 Design	Subgrade Stabilization shall be completed utilizing proposed Chemical Stabilization methods, specifically Lime Stabilization. No Alternative is to be permitted on this project regarding subgrade stabilization methods.
9	4/9/26	Connor Jackson	P11 - Jerry M & Linda G. Cassidy	KYTC will provide sanitary sewer and water line connections to the new property line of the subject located at 1421 Hinkston Pike. The sanitary sewer connection will be located at approximate centerline station 66+10 LT and the water line new meter will be located at approximate center line station 65+40 LT. A portion of the total compensation detailed within the appraisal is to be used by the property owner to complete the utility connections to their home.
10	5/26/26	Connor Jackson	P7 - Frank & Tonya Greene	The two entrances to the property will be widened sufficiently to accommodate large trucks and trailers. The entrance located at STA 55+00 RT will be approximately 62 feet wide along the edge of Hinkston Pike and will have a 30 foot long and 15-inch diameter culvert installed along the ditch line. The entrance located at STA 64+74 RT will be approximately 85 feet wide along the edge of Hinkston Pike.
11	5/26/26	Connor Jackson	P10 - Frank & Tonya Greene	The proposed storm drainage pipe located slightly east of Jenny Lane will remain the same size as the existing 18-inch diameter pipe. A new water meter will be located at approximately STA 69+50, 100FT RIGHT and located south of the tributary of Hinkston Creek.

PART II

SPECIFICATIONS AND STANDARD DRAWINGS

STANDARD SPECIFICATIONS

Any reference in the plans or proposal to previous editions of the *Standard Specifications for Road and Bridge Construction* and *Standard Drawings* are superseded by *Standard Specifications for Road and Bridge Construction, Edition of 2026* and *Standard Drawings, Edition of 2025.*

SUPPLEMENTAL SPECIFICATIONS

The contractor shall use the Supplemental Specifications that are effective at the time of letting. The Supplemental Specifications can be found at the following link:
http://transportation.ky.gov/Construction/Pages/Kentucky-Standard-Specifications.aspx

1I

SPECIAL NOTE FOR PORTABLE CHANGEABLE MESSAGE SIGNS

This Special Note will apply when indicated on the plans or in the proposal.

1.0 DESCRIPTION. Furnish, install, operate, and maintain variable message signs at the locations shown on the plans or designated by the Engineer. Remove and retain possession of variable message signs when they are no longer needed on the project.

2.0 MATERIALS.

2.1 General. Use LED Variable Message Signs Class I, II, or III, as appropriate, from the Department's List of Approved Materials.

Unclassified signs may be submitted for approval by the Engineer. The Engineer may require a daytime and nighttime demonstration. The Engineer will make a final decision within 30 days after all required information is received.

2.2 Sign and Controls. All signs must:

1) Provide 3-line messages with each line being 8 characters long and at least 18 inches tall. Each character comprises 35 pixels.
2) Provide at least 40 preprogrammed messages available for use at any time. Provide for quick and easy change of the displayed message; editing of the message; and additions of new messages.
3) Provide a controller consisting of:
   a) Keyboard or keypad.
   b) Readout that mimics the actual sign display. (When LCD or LCD type readout is used, include backlighting and heating or otherwise arrange for viewing in cold temperatures.)
   c) Non-volatile memory or suitable memory with battery backup for storing pre-programmed messages.
   d) Logic circuitry to control the sequence of messages and flash rate.
4) Provide a serial interface that is capable of supporting complete remote control ability through land line and cellular telephone operation. Include communication software capable of immediately updating the message, providing complete sign status, and allowing message library queries and updates.
5) Allow a single person easily to raise the sign to a satisfactory height above the pavement during use, and lower the sign during travel.
6) Be Highway Orange on all exterior surfaces of the trailer, supports, and controller cabinet.
7) Provide operation in ambient temperatures from -30 to + 120 degrees Fahrenheit during snow, rain and other inclement weather.
8) Provide the driver board as part of a module. All modules are interchangeable, and have plug and socket arrangements for disconnection and reconnection. Printed circuit boards associated with driver boards have a conformable coating to protect against moisture.
9) Provide a sign case sealed against rain, snow, dust, insects, etc. The lens is UV stabilized clear plastic (polycarbonate, acrylic, or other approved material) angled to prevent glare.
10) Provide a flat black UV protected coating on the sign hardware, character PCB, and appropriate lens areas.
11) Provide a photocell control to provide automatic dimming.

1I

12) Allow an on-off flashing sequence at an adjustable rate.
13) Provide a sight to aim the message.
14) Provide a LED display color of approximately 590 nm amber.
15) Provide a controller that is password protected.
16) Provide a security device that prevents unauthorized individuals from accessing the controller.
17) Provide the following 3-line messages preprogrammed and available for use when the sign unit begins operation:

/KEEP/RIGHT/⇒⇒⇒/
/KEEP/LEFT/⇐⇐⇐/
/LOOSE/GRAVEL/AHEAD/
/RD WORK/NEXT/**MILES/
/TWO WAY/TRAFFIC/AHEAD/
/PAINT/CREW/AHEAD/
/REDUCE/SPEED/**MPH/
/BRIDGE/WORK/***0 FT/
/MAX/SPEED/**MPH/
/SURVEY/PARTY/AHEAD/
/MIN/SPEED/**MPH/
/ICY/BRIDGE/AHEAD/ /ONE LANE/BRIDGE/AHEAD/
/ROUGH/ROAD/AHEAD/
/MERGING/TRAFFIC/AHEAD/
/NEXT/***/MILES/
/HEAVY/TRAFFIC/AHEAD/
/SPEED/LIMIT/**MPH/
/BUMP/AHEAD/
/TWO/WAY/TRAFFIC/

*Insert numerals as directed by the Engineer.
Add other messages during the project when required by the Engineer.

2.3 Power.

1) Design solar panels to yield 10 percent or greater additional charge than sign consumption. Provide direct wiring for operation of the sign or arrow board from an external power source to provide energy backup for 21 days without sunlight and an on-board system charger with the ability to recharge completely discharged batteries in 24 hours.

3.0 CONSTRUCTION. Furnish and operate the variable message signs as designated on the plans or by the Engineer. Ensure the bottom of the message panel is a minimum of 7 feet above the roadway in urban areas and 5 feet above in rural areas when operating. Use Class I, II, or III signs on roads with a speed limit less than 55 mph. Use Class I or II signs on roads with speed limits 55 mph or greater.

Maintain the sign in proper working order, including repair of any damage done by others, until completion of the project. When the sign becomes inoperative, immediately repair or replace the sign. Repetitive problems with the same unit will be cause for rejection and replacement.

Use only project related messages and messages directed by the Engineer, unnecessary messages lessen the impact of the sign. Ensure the message is displayed in either one or 2 phases with each phase having no more than 3 lines of text. When no message is needed, but it is necessary to know if the sign is operable, flash only a pixel.

When the sign is not needed, move it outside the clear zone or where the Engineer directs. Variable Message Signs are the property of the Contractor and shall be removed from the project when no longer needed. The Department will not assume ownership of these signs.

4.0 MEASUREMENT. The final quantity of Variable Message Sign will be

1I

the actual number of individual signs acceptably furnished and operated during the project. The Department will not measure signs replaced due to damage or rejection.

5.0 PAYMENT. The Department will pay for the Variable Message Signs at the unit price each. The Department will not pay for signs replaced due to damage or rejection. Payment is full compensation for furnishing all materials, labor, equipment, and service necessary to, operate, move, repair, and maintain or replace the variable message signs. The Department will make payment for the completed and accepted quantities under the following:

Code	Pay Item	Pay Unit
02671	Portable Changeable Message Sign	Each

Effective June 15, 2012

11F

SPECIAL NOTE FOR TURF REINFORCING MAT

1.0 DESCRIPTION. Install turf reinforcement mat at locations specified in the Contract or as the Engineer directs. Section references herein are to the Department's Current Standard Specifications for Road and Bridge Construction.

2.0 MATERIALS.

2.1 Turf Reinforcement Mat (TRM). Use a Turf Reinforcement Mat defined as permanent rolled erosion control product composed of non-degradable synthetic fibers, filaments, nets, wire mesh and/or other elements, processed into a three-dimensional matrix of sufficient thickness and from the Department's List of Approved Materials. Mats must be 100% UV stabilized materials. For TRMs containing degradable components, all physical property values must be obtained on the non-degradable portion of the matting exclusively. Ensure product labels clearly show the manufacturer or supplier name, style name, and roll number. Ensure labeling, shipment and storage follows ASTM D-4873. The Department will require manufacturer to provide TRMs that are machine constructed web of mechanically or melt bonded nondegradable fibers entangled to form a three dimensional matrix. The Department will require all long term performance property values in table below to be based on non degradable portion of the matting alone. Approved methods include polymer welding, thermal or polymer fusion, or placement of fibers between two high strength biaxially oriented nets mechanically bound by parallel stitching with polyolefin thread. Ensure that mats designated in the plans as Type 4 mats, are not to be manufactured from discontinuous or loosely held together by stitching or glued netting or composites. Type 4 mats shall be composed of geosynthetic matrix that exhibits a very high interlock and reinforcement capacities with both soil and root systems and with high tensile modulus. The Department will require manufacturer to use materials chemically and biologically inert to the natural soil environments conditions. Ensure the blanket is smolder resistant without the use of chemical additives. When stored, maintain the protective wrapping and elevate the mats off the ground to protect them from damage. The Department will not specify these materials for use in heavily acidic coal seam areas or other areas with soil problems that would severally limit vegetation growth.

2.2 Classifications

The basis for selection of the type of mat required will be based on the long term shear stress level of the mat of the channel in question or the degree of slope to protect and will be designated in the contract. The Type 4 mats are to be used at structural backfills protecting critical structures, utility cuts, areas where vehicles may be expected to traverse the mat, channels with large heavy drift, channels with high shear stresses, and where higher factors of safety, very steep slopes and/or durability concerns are needed as determined by project team and designer and will be specified in the plans by designer.

Properties	Type 1	Type 2	Type 3	Type 4
Maximum Slope (H:V)	1:1	1:1	0.5:1	0.5:1
Un-vegetated Shear	≥ 2.0 lbs/ft^2 (≥ 96 Pa)	≥ 2.0 lb/ft2 (≥ 96 Pa)"	≥ 2.0 lb/ft2 (≥ 96 Pa)	≥ 2.0 lb/ft2 (≥ 96 Pa)

11F

Stress[b, c, d] ASTM D6460				
Vegetated Shear Stress [c, d, e, f] ASTM D6460	≥ 6.0 lbs/ft^2 (≥ 287 Pa)	≥ 8.0 lb/ft2 (≥ 383 Pa)	≥ 10.0 lb/ft2 (≥ 479 Pa)	≥ 12.0 lb/ft2 (≥ 575 Pa)
Seedling Emergence [d] ASTM D7322	≥ 250%	≥ 250%	≥ 250%	≥ 250%
MD Material Tensile Strength [d, f] ASTM D6818	≥ 150 lbs/ft (≥ 2.2 kN/m)	≥ 175 lbs/ft (≥ 2.6 kN/m)	≥ 200 lbs/ft (≥ 2.9 kN/m)	≥ 1,500 lbs/ft (≥ 21.9 kN/m)
TD Material Tensile Strength [d, f] ASTM D6818	≥ 150 lbs/ft (≥ 2.2 kN/m)	≥ 175 lbs/ft (≥ 2.6 kN/m)	≥ 200 lbs/ft (≥ 2.9 kN/m)	≥ 1,500 lbs/ft (≥ 21.9 kN/m)
Mass Per Unit Area [d] ASTM D6566	≥ 8.0 oz/yd^2 (≥ 271 g/m^2))	≥ 8.0 oz/yd^2 (≥ 271 g/m2)	≥ 8.0 oz/yd^2 (≥ 271 g/m2)	≥ 8.0 oz/yd2 (≥ 271 g/m2)
Material Thickness [d] ASTM D6525	≥ 0.25 in (≥ 6.35 mm)	≥ 0.25 in (≥ 6.35 mm)	≥ 0.25 in (≥ 6.35 mm)	≥ 0.25 in (≥ 6.35 mm)
UV Stability [c, e] ASTM D4355	≥ 80% @ 500 hrs	≥ 80% @ 500 hrs	≥ 80% @ 1,000 hrs	≥ 90% @ 1,000 hrs

a. For Type 4 mats, property values tested per ASTM D6818 and D6525 are reported as minimum average roll values (MARVs). MARVs are calculated as the typical minus two standard deviations. Statistically, it yields a 97.7% degree of confidence that any samples taken from quality assurance testing will exceed the value reported.

b. Required minimum shear stress TRM (un-vegetated) can sustain without physical damage or excess erosion (> 12.7 mm (0.5 in.) soil loss during successive, minimum 30 minute flow events in large scale testing.

c. Acceptable large-scale testing protocol may include ASTM D6460, or other independent testing deemed acceptable by the engineer. Large-scale performance testing typically involves limited soil types and vegetative stands, therefore it is recommended that an appropriate factor of safety be used in design and product selection (see Guidance Document for further information).

d. Typical values are calculated as the average value, it yields a 50% degree of confidence that any samples taken from quality assurance testing will exceed the value reported.

e. Required minimum shear stress TRM (fully vegetated) can sustain without physical damage or excess erosion (> 12.7 mm (0.5 in.) soil loss during successive, minimum 30 minute flow events in large scale testing.

f. For TRMs containing degradable components, property values must be obtained on the non-degradable portion of the matting alone.

NOTE: TRMs are typically used in hydraulic applications, such as high flow ditches and channels, steep slopes, stream banks, and shorelines, where erosive forcers may exceed the limits of natural, unreinforced vegetation or in areas where limited vegetation establishment is anticipated.

2.3 Quality Assurance Sampling, Testing, and Acceptance

A) Performance Testing: The Department will require AASHTO's NTPEP index testing. The Department will also require the manufacturer to perform internal MARV testing at a Geosynthetic Accreditation Institute – Laboratory Accreditation Program (GAI-LAP) accredited laboratory for tensile strength, tensile elongation, mass per unit area, and thickness once every 24,000 yds of production or whatever rate is required to ensure

97.7% confidence under ASTM D4439& 4354. The Department will require Full scale testing for slope and channel applications shear stress shall be done under ASTM D 6459, ASTM D 6460-07 procedures.

B) Provide TRM listed on the Department's List of Approved Materials. Prior to inclusion on the LAM, the manufacturer of TRM must meet the physical and performance criteria as outlined in the specification and submit a Letter Certifying compliance of the product under the above ASTM testing procedures and including a copy of report from Full Scale Independent Hydraulics Facility that Fully Vegetated Shear Stress meets shear stress requirements tested under D6459 and D6460-07.

C) Contractors will provide a Letter of Certification from Manufacturer stating the product name, manufacturer, and that the product MARV product unit testing results meets Department criteria. Provide Letters once per project and for each product.

D) Acceptance shall be in accordance with ASTM D-4759 based on testing performed by a Geosynthetic Accreditation Institute – Laboratory Accreditation Program (GAI-LAP) accredited laboratory using Procedure A of ASTM D-4354.

Current mats meeting the above criteria are shown on the Department's List of Approved Materials. Mats that exceed the criteria for KYTC Types 1-4 are available. Contact an erosion control material supplier for more information.

2.4 Fasteners. When the mat manufacturer does not specify a specific fastener, use steel wire U-shaped staples with a minimum diameter of 0.09 inches (11 gauge), a minimum width of one inch and a minimum length of 12 inches. Use a heavier gauge when working in rocky or clay soils and longer lengths in sandy soils as directed by Engineer or Manufacturer's Representative. Provide staples with colored tops when requested by the Engineer.

3.0 CONSTRUCTION., Provide a Manufacturer's Representative on-site to oversee and approve the initial installation of the mat. When requested by the Engineer, provide a letter from the Manufacturer approving the installation. When there is a conflict between the Department's criteria and the Manufacturer's criteria, construct using the more restrictive. The Engineer and Manufacturer's Representative must approve all alternate installation methods prior to execution. Construct according to the Manufacturer's recommendations and the following as minimum installation technique:

3.1 Site Preparation. Smoothly grade areas to be treated with matting and compact. Remove large
rocks, soil clods, vegetation, roots, and other sharp objects that could keep the mat from intimate contact with subgrade. Prepare seedbed by loosening the top 2 to 3 inch of soil.

3.2 Installation. Install mats according to Standard Drawing Sepias "Turf Mat Channel Installation" and "Turf Mat Slope Installation." Install mats at the specified elevation and alignment. Anchor the mats with staples with a minimum length of 12 inches. Use longer anchors for installations in sandy, loose, or wet soils as directed by the Engineer or Manufacturer's Representative. The mat should be in direct contact with the soil surface. Infill and overfill the mat with a minimum of ½" of soil as directed by the Manufacturer.

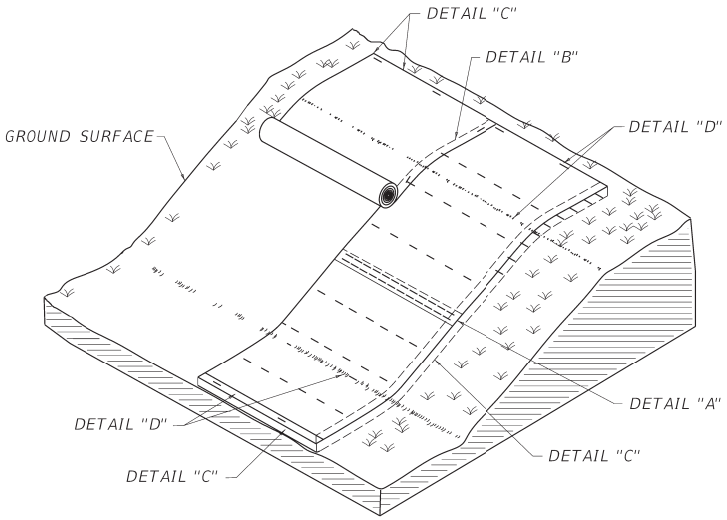
11F

4.0 MEASUREMENT. The Department will measure the quantity of Turf Reinforcement Mat by the square yard of surface covered. The Department will not measure preparation of the bed, providing a Manufacturer's Representative, topsoil, or seeding for payment and will consider them incidental to the Turf Reinforcement Mat. The Department will not measure any reworking of slopes or channels for payment as it is considered corrective work and incidental to the Turf Reinforcement Mat. Seeding and protection will be an incidental item.

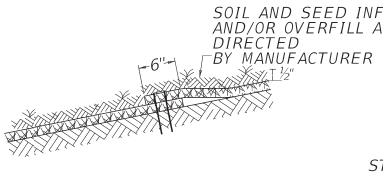
5.0 PAYMENT. The Department will make payment for the completed and accepted quantities under the following:

Code	Pay Item	Pay Unit
23274EN11F	Turf Reinforcement Mat 1	Square Yard
23275EN11F	Turf Reinforcement Mat 2	Square Yard
23276EN11F	Turf Reinforcement Mat 3	Square Yard
23277EN11F	Turf Reinforcement Mat 4	Square Yard

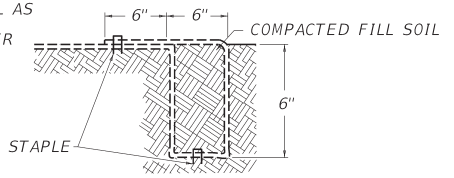
June 29, 2023



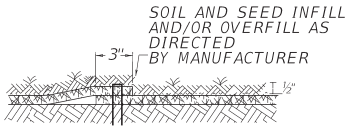
TURF MAT
SLOPE INSTALLATION



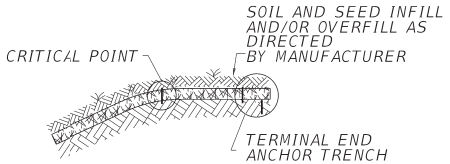
TRANSVERSE OVERLAP
DETAIL "A"

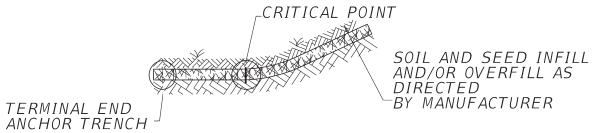


ANCHOR TRENCH
DETAIL "C"



LONGITUDINAL OVERLAP
DETAIL "B"





CRITICAL POINTS
DETAIL "D"

~ NOTES ~

1. CONSTRUCT A 6" X 6" ANCHOR TRENCH AT THE BEGINNING OF THE SLOPE. LINE THE ANCHOR TRENCH WITH TURF REINFORCING MAT LEAVING 12" EXTENDING PAST THE ANCHOR TRENCH. FASTEN THE MAT MATERIAL INTO THE ANCHOR TRENCH ON 12" CENTERS BACKFILL THE TRENCH WITH TOPSOIL AND COMPACT. COVER THE AREA WITH THE REMAINING 12" OF THE MAT'S TERMINAL END LEAVING 6" TO OVERLAP THE TURF REINFORCING MAT. SECURE THE 6" OVERLAP WITH STAPLES ON 12" CENTERS.
2. UNROLL THE MAT DOWN THE SLOPE AND PLACE IN DIRECT CONTACT WITH THE SOIL SURFACE. INSURE THAT THE SOIL SURFACE IS GRADED SMOOTHLY AND DOES NOT CONTAIN IRREGULARITIES.
3. SECURELY FASTEN THE MAT TO THE SOIL BY INSTALLING STAPLES AT A MINIMUM RATE OF 1.5 PER SQ. YD. ANCHORS SHALL BE SELECTED SO THAT THEY HAVE SUFFICIENT GROUND PENETRATION TO RESIST PULLOUT. INCREASE ANCHORING FREQUENCY FOR SITE CONDITIONS (LOOSE, SANDY, OR WET SOILS) AS DIRECTED BY THE ENGINEER AND MANUFACTURER'S REPRESENTATIVE.
4. OVERLAP EDGES OF MATS ACCORDING TO THE LONGITUDINAL AND TRANSVERSE OVERLAP DETAILS. STAPLE LONGITUDINAL OVERLAPS WITH 2 ROWS OF STAPLES STAGGERED AT 4". STAPLE TRANSVERSE OVERLAPS WITH 1 ROW OF STAPLES SPACED AT 12'.
5. CONSTRUCT A 6"X 12" ANCHOR TRENCH AT THE TOE OF THE SLOPE FOLLOWING SIMILAR PROCEDURE DENOTED FOR THE TOP OF THE SLOPE ANCHOR TRENCH.
6. ENSURE THAT THE MAT IS IN DIRECT CONTACT WITH THE SOIL SURFACE WITH NO PROJECTIONS OR PROTRUSIONS.
7. INFILL AND OVERFILL THE MAT WITH A MINIMUM OF ½" TOPSOIL. APPLY SEEDING AND PROTETION AS DIRECTED BY THE MANUFACTURER. USE SEED MIX TYPE 1 AS DEFINED IN SECTION 212.03.03. TOPSOIL IS THE SOIL PROFILE DEFINED TECHNICALLY AS "A" HORIZON BY THE SOIL SCIENCE SOCIETY OF AMERICA. USE LOOSE, FRIABLE TOPSOIL THAT IS FREE OF STONES 1" OR GREATER IN OVERALL DIMENSIONS, ADMIXTURE OF SUBSOIL, REFUSE, STUMPS, ROOTS, BRUSH, WEEDS AND OTHER MATERIALS THAT PREVENT THE FORMATION OF A SUITABLE SEED BED. DO NOT USE TOPSOIL FROM SITES HAVING JOHNSON GRASS, CANADA THISTLE, QUACK GRASS, NODDING THISTLE OR EXCESSIVE AMOUNTS OF WEEDS OR THEIR RHIZOMES.

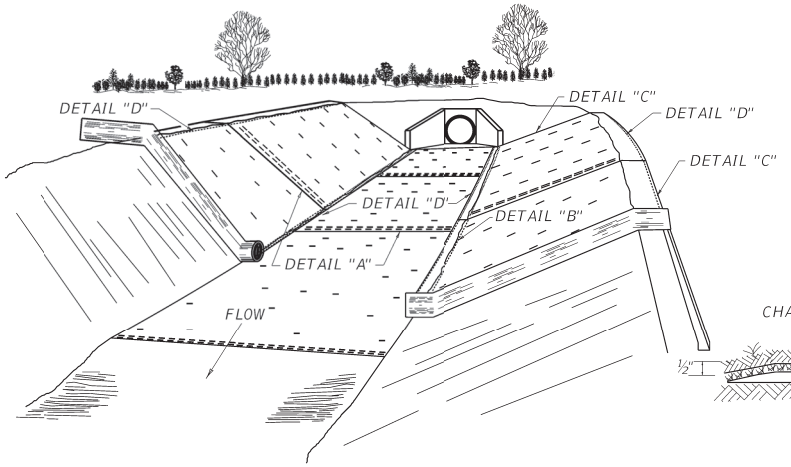
SUBMITTED _____ 01-24-2023
DIVISION DIRECTOR DATE

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF HIGHWAYS
TEAM KENTUCKY

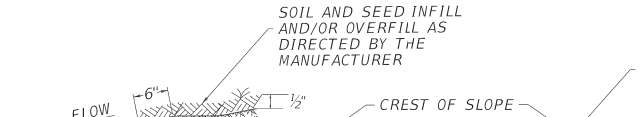
DRAWING TITLE: SEPIA 22 - TURF MAT SLOPE INSTALLATION

ITEM NO. COUNTY OF
SHEET NO.

OpenRoads Designer v10.16.2.267 USER: cwillmerdinger FILE NAME: C:\PWWORK\KYTC_CWILLMERDINGER\D2168265\RDI040 - TURF MAT SLOPE INSTALLATION.DGN

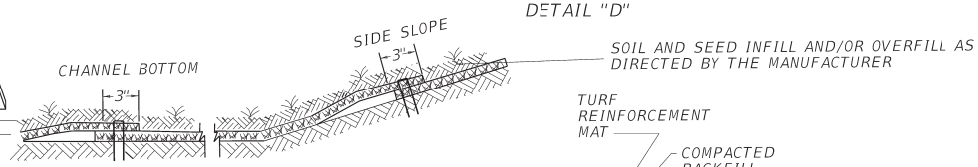


TURF MAT
CHANNEL INSTALLATION

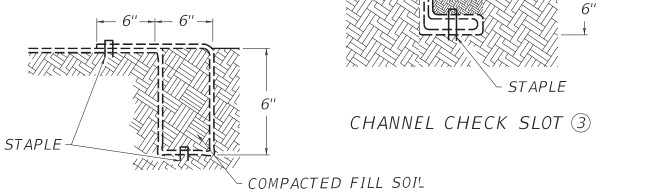


TRANSVERSE OVERLAP
DETAIL "A"

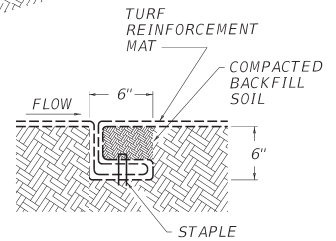
CRITICAL POINTS
DETAIL "D"



LONGITUDINAL OVERLAP
DETAIL "B"



ANCHOR TRENCH
DETAIL "C"



CHANNEL CHECK SLOT ③

~ NOTES ~

1. CONSTRUCT A 6" X 6" ANCHOR TRENCH AT THE UPSTREAM END OF THE CHANNEL. LINE THE ANCHOR TRENCH WITH TURF REINFORCIG MAT LEAVING 12" EXTENDING PAST THE ANCHOR TRENCH. FASTEN THE MAT MATERIAL INTO THE ANCHOR TRENCH ON 12" CENTERS BACKFILL THE TRENCH WITH TOPSOIL AND COMPACT. COVER THE AREA WITH THE REMAINING 12" OF THE MAT'S TERMINAL END LEAVING 6" TO OVERLAP THE TURF REINFORCING MAT. SECURE THE 6" OVERLAP WITH STAPLES ON 12" CENTERS.
2. UNROLL THE MAT PARALLEL TO THE PRIMARY DIRECTION OF WATER FLOW AND PLACE IN DIRECT CONTACT WITH THE SOIL SURFACE. INSURE THAT THE SOIL SURFACE GRADED SMOOTHLY AND DOES NOT CONTAIN IRREGULARITIES.

③ EXCAVATE 6" X 6" CHECK SLOTS EVERY 25' ALONG THE LENGTH OF THE CHANNEL. LINE THE SIDE AND BOTTOM OF THE SLOT WITH THE MAT AND THEN PULL BACK OVER. FASTEN WITH STAPLES ON 12" CENTERS. FILL THE CHECK SLOT WITH TOPSOIL, COMPACT, AND CONTINUE UNROLLING MAT DOWN THE CHANNEL.

4. CONTINUE UNROLLING THE MAT DOWNSTREAM OVER THE COMPACTED SLOT TO THE NEXT CHECK SLOT OR TERMINAL ANCHOR TRENCH. IF MORE THAN ONE SECTION OF MAT, AS SHOWN IN THE TRANSVERSE OVERLAP DETAIL, IS USED OVERLAP UPSTREAM MATS OVER TOP OF THE DOWNSTREAM MAT 6" AND SECURE. IF MATS ARE PLACED PARALLEL TO EACH OTHER ALONG THE CHANNEL, PLACE CHANNEL SECTIONS FIRST, THEN OVERLAP SIDE SLOPE SECTIONS 3" OVER THE CHANNEL SECTIONS AS SHOWN IN THE LONGITUDINAL OVERLAP DETAIL, AND SECURE WITH STAPLES ON 12" CENTERS. PROCEED UP THE SIDE SLOPES IN THE SAME MANNER UNTIL THE TOP OF CHANNEL IS REACHED.
5. SECURE MATS WHILE UNROLLING ON SIDESLOPES AND CHANNEL BOTTOMS WITH STAPLES AT A FREQUENCY THE TABLE INDICATES. USE STAPLES HAVING SUFFICIENT GROUND PENETRATION TO RESIST PULLOUT. INCREASE ANCHORING FREQUENCY AS DIRECTED BY THE ENGINEER AND MANUFACTURER'S REPRESENTATIVE.
6. INFILL AND OVERFILL THE MAT WITH A MINIMUM OF ½" TOPSOIL. APPLY SEEDING AND PROTECTION AS DIRECTED BY THE MANUFACTURER. USE SEED MIX TYPE 1 AS DEFINED IN SECTION 212.03.03. TOPSOIL IS THE SOIL PROFILE DEFINED TECHNICALLY AS "A" HORIZON BY THE SOIL SCIENCE SOCIETY OF AMERICA. USE LOOSE, FRIABLE TOPSOIL THAT IS FREE OF STONES 1" OR GREATER IN OVERALL DIMENSIONS, ADMIXTURE OF SUBSOIL, REFUSE, STUMPS, ROOTS, BRUSH, WEEDS AND OTHER MATERIALS THAT PREVENT THE FORMATION OF A SUITABLE SEED BED. DO NOT USE TOPSOIL FROM SITES HAVING JOHNSON GRASS, CANADA THISTLE, QUACK GRASS, NODDING THISTLE OR EXCESSIVE AMOUNTS OF WEEDS OR THEIR RHIZOMES.

SLOPE GRADE	ANCHORING FREQUENCY
UP TO 2H:1V	1.5 ANCHORS/SQYD
2H:1V TO 1H:1V	2.0 ANCHORS/SQYD
STEEPER THAN 1H:1V AND CHANNEL BOTTOMS	3.0 ANCHORS/SQYD

SUBMITTED W. J. Logan 01-24-2023
DIVISION DIRECTOR DATE

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF HIGHWAYS
TEAM KENTUCKY

DRAWING TITLE: SEPIA 23 - TURF MAT CHANNEL INSTALLATION

ITEM NO. COUNTY OF
SHEET NO.

OpenRoads Designer v10.16.2.267 USER: cwillmerdinger FILE NAME: C:\PWWORK\KYTC_CWILLMERDINGER\D2168266\RDI041 - TURF MAT CHANNEL INSTALLATION.DGN

SPECIAL NOTE FOR BARCODE LABEL ON PERMANENT SIGNS

1.0 DESCRIPTION. Install barcode label on sheeting signs. Section references herein are to the Department's Standard Specifications for Road and Bridge Construction, current edition.

2.0 MATERIALS. The Department will provide the Contractor with a 2 inch x 1 inch foil barcode label for each permanent sheeting sign. A unique number will be assigned to each barcode label.

The Contractor shall contact the Operations and Pavement Management Branch in the Division of Maintenance at (502) 564-4556 to obtain the barcode labels.

3.0 CONSTRUCTION. Apply foil barcode label in the lower right quadrant of the sign back. Signs where the bottom edge is not parallel to the ground, the lowest corner of the sign shall serve as the location to place the barcode label. The barcode label shall be placed no less than one-inch and no more than three inches from any edge of the sign. The barcode must be placed so that the sign post does not cover the barcode label.

Barcodes shall be applied in an indoor setting with a minimum air temperature of 50°F or higher. Prior to application of the barcode label, the back of the sign must be clean and free of dust, oil, etc. If the sign is not clean, an alcohol swab shall be used to clean the area. The area must be allowed to dry prior to placement of the barcode label.

Data for each sign shall include the barcode number, MUTCD reference number, sheeting manufacturer, sheeting type, manufacture date, color of primary reflective surface, installation date, latitude and longitude using the North American Datum of 1983 (NAD83) or the State Plane Coordinates using an x and y ordinate of the installed location.

Data should be provided electronically on the TC 71-229 Sign Details Information and TC 71-230 Sign Assembly Information forms. The Contractor may choose to present the data in a different format provided that the information submitted to the Department is equivalent to the information required on the Department TC forms. The forms must be submitted in electronic format regardless of which type of form is used. The Department will not accept PDF or handwritten forms. These completed forms must be submitted to the Department prior to final inspection of the signs. The Department will not issue formal acceptance for the project until the TC 71-229 and TC-230 electronic forms are completed for all signs and sign assemblies on the project.

4.0 MEASUREMENT. The Department will measure all work required for the installation of the barcode label and all work associated with completion and submission of the sign inventory data (TC 71-229 and TC 71-230).

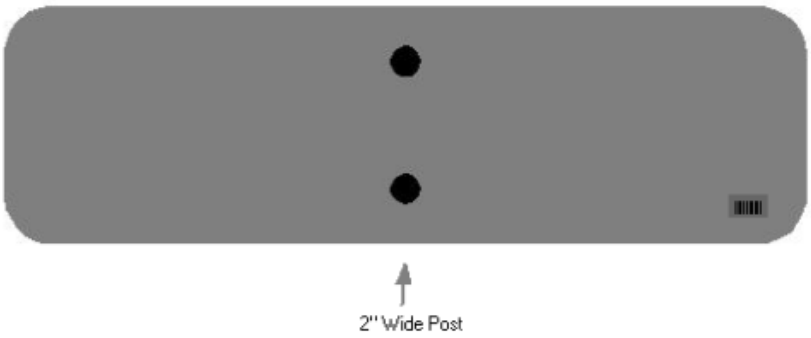
The installation of the permanent sign will be measured in accordance to Section 715.

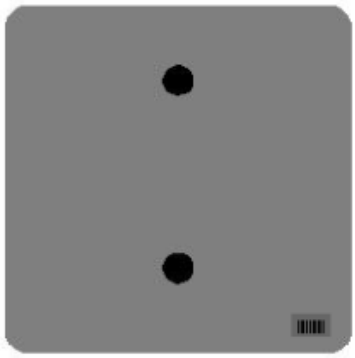
5.0 PAYMENT. The Department will make payment for the completed and accepted quantities under the following:

Code	Pay Item	Pay Unit
24631EC	Barcode Sign Inventory	Each

The Department will not make payment for this item until all barcodes are installed and sign inventory is complete on every permanent sign installed on the project. The Department will make payment for installation of the permanent sign in accordance to Section 715. The Department will consider payment as full compensation for all work required under this special note.

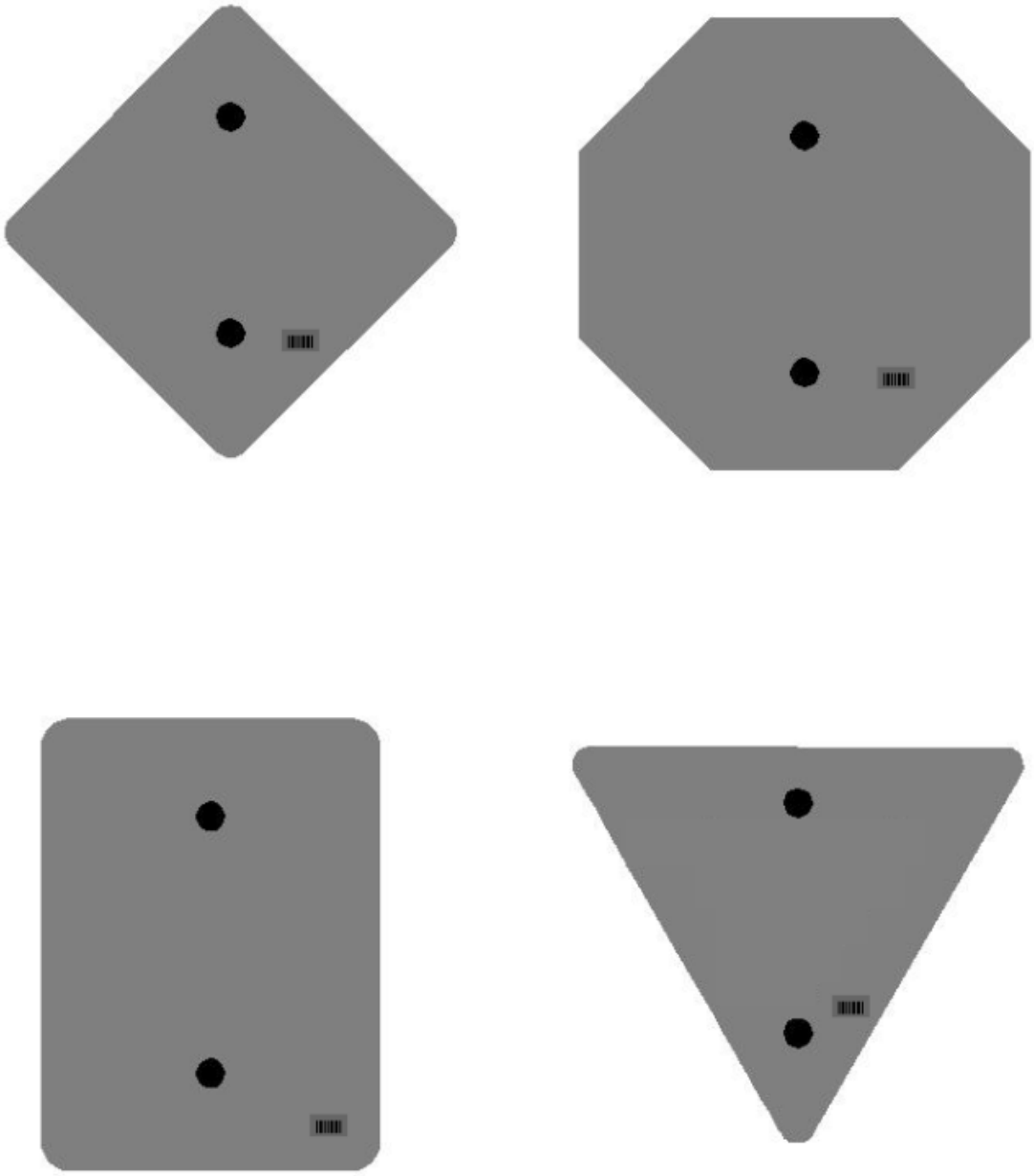
One Sign Post



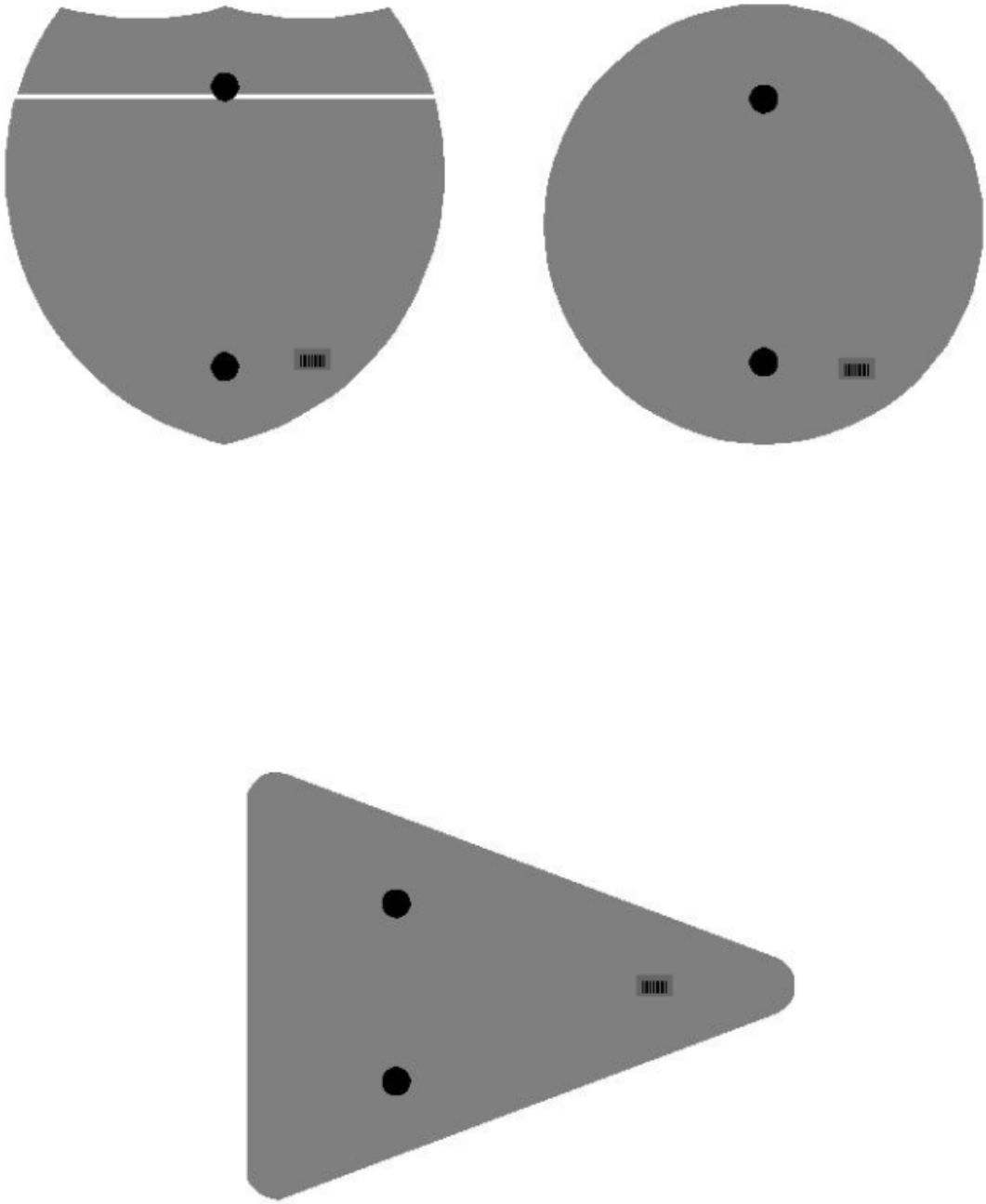




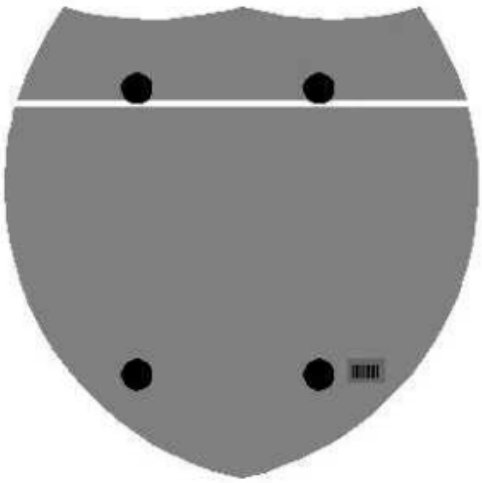
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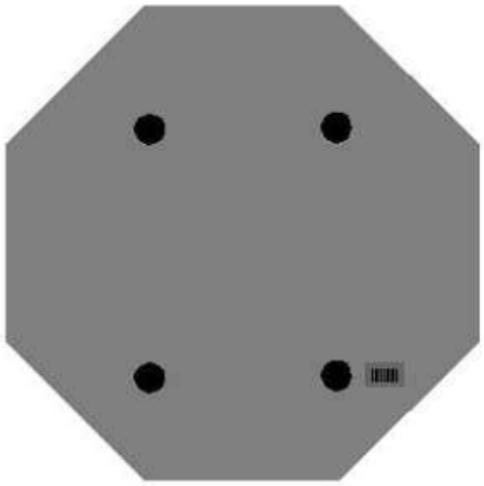
One Sign Post



Double Sign Post



Interstate
Shield

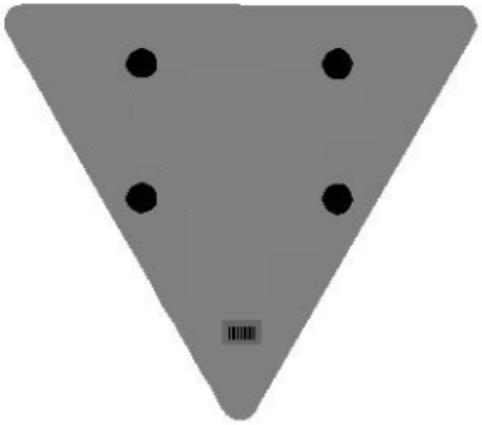


48" Stop

2 Post Signs







11N

SPECIAL NOTE FOR LONGITUDINAL PAVEMENT JOINT ADHESIVE

1. DESCRIPTION. This specification covers the requirements and practices for applying an asphalt adhesive material to the longitudinal joint of the surface course of an asphalt pavement. Apply the adhesive to the face of longitudinal joint between driving lanes for the first lane paved. Then, place and compact the adjacent lane against the treated face to produce a strong, durable, waterproof longitudinal joint.

2. MATERIALS, EQUIPMENT, AND PERSONNEL.

2.1 Joint Adhesive. Provide material conforming to Subsection 2.1.1.

2.1.1 Provide an adhesive conforming to the following requirements:

Property	Specification	Test Procedure
Viscosity, 400 ° F (Pa·s)	4.0 – 10.0	ASTM D 4402
Cone Penetration, 77 ° F	60 – 100	ASTM D 5329
Flow, 140 ° F (mm)	5.0 max.	ASTM D 5329
Resilience, 77 ° F (%)	30 min.	ASTM D 5329
Ductility, 77 ° F (cm)	30.0 min.	ASTM D 113
Ductility, 39 ° F (cm)	30.0 min.	ASTM D 113
Tensile Adhesion, 77 ° F (%)	500 min.	ASTM D 5329, Type II
Softening Point, ° F	171 min.	AASHTO T 53
Asphalt Compatibility	Pass	ASTM D 5329

Ensure the temperature of the pavement joint adhesive is between 380 and 410 °F when the material is extruded in a 0.125-inch-thick band over the entire face of the longitudinal joint.

2.2. Equipment.

2.2.1 Melter Kettle. Provide an oil-jacketed, double-boiler, melter kettle equipped with any needed agitation and recirculating systems.

2.2.2 Applicator System. Provide a pressure-feed-wand applicator system with an applicator shoe attached.

2.3 Personnel. Ensure a technical representative from the manufacturer of the pavement joint adhesive is present during the initial construction activities and available upon the request of the Engineer.

3. CONSTRUCTION.

3.1 Surface Preparation. Prior to the application of the pavement joint adhesive, ensure the face of the longitudinal joint is thoroughly dry and free from dust or any other debris that would inhibit adhesion. Clean the joint face by the use of compressed air.

Ensure this preparation process occurs shortly before application to prevent the return of debris on the joint face.

3.2 Pavement Joint Adhesive Application. Ensure the ambient temperature is a minimum of 40 ^{o} F during the application of the pavement joint adhesive. Prior to applying the adhesive, demonstrate competence in applying the adhesive according to this note to the satisfaction of the Engineer. Heat the adhesive in the melter kettle to the specified temperature range. Pump the adhesive from the melter kettle through the wand onto the vertical face of the cold joint. Apply the adhesive in a continuous band over the entire face of the longitudinal joint. Do not use excessive material in either thickness or location. Ensure the edge of the extruded adhesive material is flush with the surface of the pavement. Then, place and compact the adjacent lane against the joint face. Remove any excessive material extruded from the joint after compaction (a small line of material may remain).

3.3 Pavement Joint Adhesive Certification. Furnish the joint adhesive's certification to the Engineer stating the material conforms to all requirements herein prior to use.

3.4 Sampling and Testing. The Department will require a random sample of pavement joint adhesive from each manufacturer's lot of material. Extrude two 5 lb. samples of the heated material and forward the sample to the Division of Materials for testing. Reynolds oven bags, turkey size, placed inside small cardboard boxes or cement cylinder molds have been found suitable. Ensure the product temperature is 400°F or below at the time of sampling.

4. MEASUREMENT. The Department will measure the quantity of Pavement Joint Adhesive in linear feet. The Department will not measure for payment any extra materials, labor, methods, equipment, or construction techniques used to satisfy the requirements of this note. The Department will not measure for payment any trial applications of Pavement Joint Adhesive, the cleaning of the joint face, or furnishing and placing the adhesive. The Department will consider all such items incidental to the Pavement Joint Adhesive.

5. PAYMENT. The Department will pay for the Pavement Joint Adhesive at the Contract unit bid price and apply an adjustment for each manufacturer's lot of material based on the degree of compliance as defined in the following schedule. When a sample fails on two or more tests, the Department may add the deductions, but the total deduction will not exceed 100 percent.

11N

Pavement Joint Adhesive Price Adjustment Schedule						
Test	Specification	100% Pay	90% Pay	80% Pay	50% Pay	0% Pay
Joint Adhesive Referenced in Subsection 2.1.1						
Viscosity, 400 ° F (Pa•s)			3.0-3.4	2.5-2.9	2.0-2.4	≤1.9
ASTM D 3236	4.0-10.0	3.5-10.5	10.6-11.0	11.1-11.5	11.6-12.0	≥ 12.1
Cone Penetration, 77 ° F			54-56	51-53	48-50	≤ 47
ASTM D 5329	60-100	57-103	104-106	107-109	110-112	≥ 113
Flow, 140 ° F (mm) ASTM D 5329	≤ 5.0	≤ 5.5	5.6-6.0	6.1-6.5	6.6-7.0	≥ 7.1
Resilience, 77 ° F (%) ASTM D 5329	≥ 30	≥ 28	26-27	24-25	22-23	≤ 21
Tensile Adhesion, 77 ° F (%) ASTM D 5329	≥ 500	≥ 490	480-489	470-479	460-469	≤ 459
Softening Point, ° F AASHTO T 53	≥ 171	≥ 169	166-168	163-165	160-162	≤ 159
Ductility, 77 ° F (cm) ASTM D 113	≥ 30.0	≥ 29.0	28.0-28.9	27.0-27.9	26.0-26.9	≤ 25.9
Ductility, 39 ° F (cm) ASTM D 113	≥ 30.0	≥ 29.0	28.0-28.9	27.0-27.9	26.0-26.9	≤ 25.9

Code	Pay Item	Pay Unit
20071EC	Joint Adhesive	Linear Foot

May 7, 2014

PART III

EMPLOYMENT, WAGE AND RECORD REQUIREMENTS

FHWA-1273 – Revised June 25, 2026

**CONTRACT PROVISIONS FOR
FEDERAL-AID CONSTRUCTION CONTRACTS**

I. General
II. Nondiscrimination
III. Davis-Bacon and Related Act Provisions
IV. Contract Work Hours and Safety Standards Act Provisions
V. Subletting or Assigning the Contract
VI. Safety: Accident Prevention
VII. False Statements Concerning Highway Projects
VIII. Implementation of Clean Air Act and Federal Water Pollution Control Act
IX. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
X. Certification Regarding Use of Contract Funds for Lobbying
XI. Use of United States-Flag Vessels

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only).

I. GENERAL

1. Historically, contracting agencies using Federal-aid highway funds were required to ensure Form FHWA-1273 was physically incorporated into all contracts and subcontracts. Effective June 10, 2026, this requirement was eliminated [91 FR 25492]. Future use of Form FHWA-1273 is now optional on the part of the contracting agency using Federal-aid highway funds. FHWA continues to make Form FHWA-1273 available as a convenience to contracting agencies. Contracting agencies must continue to ensure compliance with the provisions cited in Form FHWA-1273 in accordance with the provisions regardless of the use of Form FHWA-1273. Accordingly, the contracting agency retains the authority to determine whether the contractor must use Form FHWA-1273 to physically incorporate required contract provisions in each subcontract and in lower tier contracts. Where permitted by the contracting agency, the contractor may choose other ways to include required contract provisions in each subcontract, besides incorporating Form FHWA-1273. Contract provisions in Form FHWA-1273 are not required to be physically included in subcontracts for design services on Federal-aid design-build contracts, or in purchase orders, rental agreements and other agreements for supplies or services.

The applicable provisions of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor or design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in solicitation-for-bids or request-for-proposals documents.

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. 23 U.S.C. 114(b). The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors. 23 U.S.C. 101(a).

II. NONDISCRIMINATION

The contractor and all subcontractors must comply with the following policies: 29 CFR Parts 1625-1627, 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27, including any amendments thereto.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with 29 CFR Parts 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27, including any amendments thereto.

The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR Part 35 and 29 CFR Part 1630 are incorporated by reference in this contract.

1. Assurances Required:

a. The requirements of 49 CFR Part 26, including any amendments thereto, and the State DOT's FHWA-approved Disadvantaged Business Enterprise (DBE) program are incorporated by reference.

b. The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26, including any amendments thereto, in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

(1) Withholding monthly progress payments;
(2) Assessing sanctions;
(3) Liquidated damages; and/or
(4) Disqualifying the contractor from future bidding as non-responsible.

c. The Title VI and nondiscrimination provisions of U.S. DOT Order 1050.2A at Appendixes A and E, including any amendments thereto, are incorporated by reference. 49 CFR Part 21.

III. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding $2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size), in accordance with 29 CFR 5.5. The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. 23 U.S.C. 113. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. 23 U.S.C. 101. Where applicable law requires that projects be treated as a project on a Federal-aid highway, the provisions of this subpart will apply regardless of the location of the project. Examples include: Surface Transportation Block Grant Program projects funded under 23 U.S.C. 133 [excluding recreational trails projects], the Nationally Significant Freight and Highway Projects funded under 23 U.S.C. 117, and National Highway Freight Program projects funded under 23 U.S.C. 167.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 “Contract provisions and related matters” with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages (29 CFR 5.5)

a. *Wage rates and fringe benefits.* All laborers and mechanics employed or working upon the site of the work (or otherwise working in construction or development of the project under a development statute), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of basic hourly wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. As provided in paragraphs (d) and (e) of 29 CFR 5.5, the appropriate wage determinations are effective by operation of law even if they have not been attached to the contract. Contributions made or costs reasonably anticipated for bona fide fringe benefits under the Davis-Bacon Act (40 U.S.C. 3141(2)(B)) on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.e. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics must be paid the appropriate wage rate and fringe benefits on the wage determination for the classification(s) of work actually performed, without regard to skill, except as provided in paragraph 4. of this section. Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: *Provided,* That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classifications and wage rates conformed under paragraph 1.c. of this section) and the Davis-Bacon poster (WH–1321) must be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. *Frequently recurring classifications.* (1) In addition to wage and fringe benefit rates that have been determined to be prevailing under the procedures set forth in 29 CFR part 1, a wage determination may contain, pursuant to § 1.3(f), wage and fringe benefit rates for classifications of laborers and mechanics for which conformance requests are regularly submitted pursuant to paragraph 1.c. of this section, provided that:

(i) The work performed by the classification is not performed by a classification in the wage determination for which a prevailing wage rate has been determined;

(ii) The classification is used in the area by the construction industry; and

(iii) The wage rate for the classification bears a reasonable relationship to the prevailing wage rates contained in the wage determination.

(2) The Administrator will establish wage rates for such classifications in accordance with paragraph 1.c.(1)(iii) of this section. Work performed in such a classification must be paid at no less than the wage and fringe benefit rate listed on the wage determination for such classification.

c. *Conformance.* (1) The contracting officer must require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract be classified in conformance with the wage determination. Conformance of an additional classification and wage rate and fringe benefits is appropriate only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is used in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) The conformance process may not be used to split, subdivide, or otherwise avoid application of classifications listed in the wage determination.

(3) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the

classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken will be sent by the contracting officer by email to DBAconformance@dol.gov. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30–day period that additional time is necessary.

(4) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer will, by email to DBAconformance@dol.gov, refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30–day period that additional time is necessary.

(5) The contracting officer must promptly notify the contractor of the action taken by the Wage and Hour Division under paragraphs 1.c.(3) and (4) of this section. The contractor must furnish a written copy of such determination to each affected worker or it must be posted as a part of the wage determination. The wage rate (including fringe benefits where appropriate) determined pursuant to paragraph 1.c.(3) or (4) of this section must be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

d. *Fringe benefits not expressed as an hourly rate.* Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor may either pay the benefit as stated in the wage determination or may pay another bona fide fringe benefit or an hourly cash equivalent thereof.

e. *Unfunded plans.* If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, *Provided,* That the Secretary of Labor has found, upon the written request of the contractor, in accordance with the criteria set forth in § 5.28, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

f. *Interest.* In the event of a failure to pay all or part of the wages required by the contract, the contractor will be required to pay interest on any underpayment of wages.

2. Withholding (29 CFR 5.5)

a. *Withholding requirements.* The contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for the full amount of wages and monetary relief, including interest, required by the clauses set forth in this section for violations of this contract, or to satisfy any such liabilities required by any other Federal contract, or federally assisted contract subject to Davis-Bacon labor standards, that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to Davis-Bacon labor standards requirements and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld. In the event of a contractor's failure to pay any laborer or mechanic, including any apprentice or helper working on the site of the work all or part of the wages required by the contract, or upon the contractor's failure to submit the required records as discussed in paragraph 3.d. of this section, the contracting agency may on its own initiative and after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with paragraph 2.a. of this section or Section IV, paragraph 3.a., or both, over claims to those funds by:

(1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;

(2) A contracting agency for its reprocurement costs;

(3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;

(4) A contractor's assignee(s);

(5) A contractor's successor(s); or

(6) A claim asserted under the Prompt Payment Act, 31 U.S.C. 3901–3907.

3. Records and certified payrolls (29 CFR 5.5)

a. *Basic record requirements* (1) *Length of record retention.* All regular payrolls and other basic records must be maintained by the contractor and any subcontractor during the course of the work and preserved for all laborers and mechanics working at the site of the work (or otherwise working in construction or development of the project under a development statute) for a period of at least 3 years after all the work on the prime contract is completed.

(2) *Information required.* Such records must contain the name; Social Security number; last known address, telephone number, and email address of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in 40 U.S.C. 3141(2)(B) of the Davis-Bacon Act); daily and weekly number

of hours actually worked in total and on each covered contract; deductions made; and actual wages paid.

(3) *Additional records relating to fringe benefits.* Whenever the Secretary of Labor has found under paragraph 1.e. of this section that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in 40 U.S.C. 3141(2)(B) of the Davis-Bacon Act, the contractor must maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

(4) *Additional records relating to apprenticeship.* Contractors with apprentices working under approved programs must maintain written evidence of the registration of apprenticeship programs, the registration of the apprentices, and the ratios and wage rates prescribed in the applicable programs.

b. *Certified payroll requirements* (1) *Frequency and method of submission.* The contractor or subcontractor must submit weekly, for each week in which any DBA- or Related Acts-covered work is performed, certified payrolls to the contracting agency. The prime contractor is responsible for the submission of all certified payrolls by all subcontractors. A contracting agency or prime contractor may permit or require contractors to submit certified payrolls through an electronic system, as long as the electronic system requires a legally valid electronic signature; the system allows the contractor, the contracting agency, and the Department of Labor to access the certified payrolls upon request for at least 3 years after the work on the prime contract has been completed; and the contracting agency or prime contractor permits other methods of submission in situations where the contractor is unable or limited in its ability to use or access the electronic system.

(2) *Information required.* The certified payrolls submitted must set out accurately and completely all of the information required to be maintained under paragraph 3.a.(2) of this section, except that full Social Security numbers and last known addresses, telephone numbers, and email addresses must not be included on weekly transmittals. Instead, the certified payrolls need only include an individually identifying number for each worker (*e.g.,* the last four digits of the worker's Social Security number). The required weekly certified payroll information may be submitted using Optional Form WH–347 or in any other format desired. Optional Form WH–347 is available for this purpose from the Wage and Hour Division website at *https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh347/.pdf* or its successor website. It is not a violation of this section for a prime contractor to require a subcontractor to provide full Social Security numbers and last known addresses, telephone numbers, and email addresses to the prime contractor for its own records, without weekly submission by the subcontractor to the contracting agency.

(3) *Statement of Compliance.* Each certified payroll submitted must be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor, or the contractor's or subcontractor's agent who pays or supervises the payment of the persons working on the contract, and must certify the following:

(i) That the certified payroll for the payroll period contains the information required to be provided under paragraph 3.b. of this section, the appropriate information and basic records are being maintained under paragraph 3.a. of this section, and such information and records are correct and complete;

(ii) That each laborer or mechanic (including each helper and apprentice) working on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR part 3; and

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification(s) of work actually performed, as specified in the applicable wage determination incorporated into the contract.

(4) *Use of Optional Form WH–347.* The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH–347 will satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(3) of this section.

(5) *Signature.* The signature by the contractor, subcontractor, or the contractor's or subcontractor's agent must be an original handwritten signature or a legally valid electronic signature.

(6) *Falsification.* The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under 18 U.S.C. 1001 and 31 U.S.C. 3729.

(7) *Length of certified payroll retention.* The contractor or subcontractor must preserve all certified payrolls during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

c. *Contracts, subcontracts, and related documents.* The contractor or subcontractor must maintain this contract or subcontract and related documents including, without limitation, bids, proposals, amendments, modifications, and extensions. The contractor or subcontractor must preserve these contracts, subcontracts, and related documents during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

d. *Required disclosures and access* (1) *Required record disclosures and access to workers.* The contractor or subcontractor must make the records required under paragraphs 3.a. through 3.c. of this section, and any other documents that the contracting agency, the State DOT, the FHWA, or the Department of Labor deems necessary to determine compliance with the labor standards provisions of any of the applicable statutes referenced by § 5.1, available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and must permit such representatives to interview workers during working hours on the job.

(2) *Sanctions for non-compliance with records and worker access requirements.* If the contractor or subcontractor fails to submit the required records or to make them available, or refuses to permit worker interviews during working hours on the job, the Federal agency may, after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, that maintains such records or that employs such workers, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available, or to permit worker interviews during working hours on the job, may be grounds for debarment action pursuant to § 5.12. In addition, any contractor or other person that fails to submit the required records or make those records available to WHD within the time WHD requests that the records be produced will be precluded from introducing as evidence in an administrative proceeding under 29 CFR part 6 any of the required records that were not provided or made available to WHD. WHD will take into consideration a reasonable request from the contractor or person for an extension of the time for submission of records. WHD will determine the reasonableness of the request and may consider, among other things, the location of the records and the volume of production.

(3) *Required information disclosures.* Contractors and subcontractors must maintain the full Social Security number and last known address, telephone number, and email address of each covered worker, and must provide them upon request to the contracting agency, the State DOT, the FHWA, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or other compliance action.

4. Apprentices and equal employment opportunity (29 CFR 5.5)

a. *Apprentices* (1) *Rate of pay.* Apprentices will be permitted to work at less than the predetermined rate for the work they perform when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship (OA), or with a State Apprenticeship Agency recognized by the OA. A person who is not individually registered in the program, but who has been certified by the OA or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice, will be permitted to work at less than the predetermined rate for the work they perform in the first 90 days of probationary employment as an apprentice in such a program. In the event the OA or a State Apprenticeship Agency recognized by the OA withdraws approval of an apprenticeship program, the contractor will no longer be permitted to use apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(2) *Fringe benefits.* Apprentices must be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringe benefits must be paid in accordance with that determination.

(3) *Apprenticeship ratio.* The allowable ratio of apprentices to journeyworkers on the job site in any craft classification must not be greater than the ratio permitted to the contractor as to the entire work force under the registered program or the ratio applicable to the locality of the project pursuant to paragraph 4.a.(4) of this section. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated in paragraph 4.a.(1) of this section, must be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under this section must be paid not less than the applicable wage rate on the wage determination for the work actually performed.

(4) *Reciprocity of ratios and wage rates.* Where a contractor is performing construction on a project in a locality other than the locality in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyworker's hourly rate) applicable within the locality in which the construction is being performed must be observed. If there is no applicable ratio or wage rate for the locality of the project, the ratio and wage rate specified in the contractor's registered program must be observed.

b. *Equal employment opportunity.* The use of apprentices and journeyworkers under this part must be in conformity with 29 CFR part 30, including any amendments thereto.

c. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section III. 23 CFR 230.111(e)(2). The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeyworkers shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract as provided in 29 CFR 5.5.

6. Subcontracts. The contractor or subcontractor must insert in any subcontracts the clauses set forth in paragraphs (1) through (11) of this section, along with the applicable wage determination(s) and such other clauses or contract modifications as the contracting agency may by appropriate instructions require, and a clause requiring the subcontractors to include these clauses and wage determination(s) in any lower tier subcontracts. The prime contractor is responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this section. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and may be subject to debarment, as appropriate. 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the

contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract as provided in 29 CFR 5.5.

9. Disputes concerning labor standards. As provided in 29 CFR 5.5, disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility. a. By entering into this contract, the contractor certifies that neither it nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of 40 U.S.C. 3144(b) or § 5.12(a).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of 40 U.S.C. 3144(b) or § 5.12(a).

c. The penalty for making false statements is prescribed in the U.S. Code, Title 18 Crimes and Criminal Procedure, 18 U.S.C. 1001.

11. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the DBA, Related Acts, this part, or 29 CFR part 1 or 3;

b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under the DBA, Related Acts, this part, or 29 CFR part 1 or 3;

c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under the DBA, Related Acts, this part, or 29 CFR part 1 or 3; or

d. Informing any other person about their rights under the DBA, Related Acts, this part, or 29 CFR part 1 or 3.

IV. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

Pursuant to 29 CFR 5.5(b), the following clauses apply to any Federal-aid construction contract in an amount in excess of $100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchpersons and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek. 29 CFR 5.5.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph 1. of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages and interest from the date of the underpayment. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchpersons and guards, employed in violation of the clause set forth in paragraph 1. of this section, in the sum currently provided in 29 CFR 5.5(b)(2)* for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph 1. of this section.

* $33 as of January 15, 2025 (See 90 FR 1859) as may be adjusted annually by the Department of Labor, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990.

3. Withholding for unpaid wages and liquidated damages

a. *Withholding process.* The FHWA or the contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for any unpaid wages; monetary relief, including interest; and liquidated damages required by the clauses set forth in this section on this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract subject to the Contract Work Hours and Safety Standards Act that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to the Contract Work Hours and Safety Standards Act and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with Section III paragraph 2.a. or paragraph 3.a. of this section, or both, over claims to those funds by:

(1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;

(2) A contracting agency for its reprocurement costs;

(3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;

(4) A contractor's assignee(s);

(5) A contractor's successor(s); or

(6) A claim asserted under the Prompt Payment Act, 31 U.S.C. 3901–3907.

4. Subcontracts. The contractor or subcontractor must insert in any subcontracts the clauses set forth in paragraphs 1. through 5. of this section and a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor is responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs 1. through 5. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and associated liquidated damages and may be subject to debarment, as appropriate.

5. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the Contract Work Hours and Safety Standards Act (CWHSSA) or its implementing regulations in this part;

b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under CWHSSA or this part;

c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under CWHSSA or this part; or

d. Informing any other person about their rights under CWHSSA or this part.

V. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System pursuant to 23 CFR 635.116.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term “perform work with its own organization” in paragraph 1. of this section refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions: (based on longstanding interpretation)

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;
(2) the prime contractor remains responsible for the quality of the work of the leased employees;
(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and
(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract. 23 CFR 635.102.

2. Pursuant to 23 CFR 635.116(a), the contract amount upon which the requirements set forth in paragraph 1. of this section is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. Pursuant to 23 CFR 635.116(c), the contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract. (based on long-standing interpretation of 23 CFR 635.116).

5. The 30-percent self-performance requirement of paragraph (1) is not applicable to design-build contracts; however,

contracting agencies may establish their own self-performance requirements. 23 CFR 635.116(d).

VI. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR Part 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract. 23 CFR 635.108.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR Part 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704). 29 CFR 1926.10.

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

VII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR Part 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 11, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

VIII. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT (42 U.S.C. 7606; 2 CFR 200.88; EO 11738)

This provision is applicable to all Federal-aid construction contracts in excess of $150,000 and to all related subcontracts. 48 CFR 2.101; 2 CFR 200.327.

By submission of this bid/proposal or the execution of this contract or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, subcontractor, supplier, or vendor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal Highway Administration and the Regional Office of the Environmental Protection Agency. 2 CFR Part 200, Appendix II.

The contractor agrees to include or cause to be included the requirements of this Section in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements. 2 CFR 200.327.

IX. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost $25,000 or more – as defined in 2 CFR Parts 180 and 1200. 2 CFR 180.220 and 1200.220.

1**. Instructions for Certification – First Tier Participants:**

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this

covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction. 2 CFR 180.320.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default. 2 CFR 180.325.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. 2 CFR 180.345 and 180.350.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900-180.1020, and 1200. “First Tier Covered Transactions” refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). “Lower Tier Covered Transactions” refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). “First Tier Participant” refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). “Lower Tier Participant” refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction. 2 CFR 180.330.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the $25,000 threshold. 2 CFR 180.220 and 180.300.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. 2 CFR 180.300; 180.320, and 180.325. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. 2 CFR 180.335. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (https://www.sam.gov/). 2 CFR 180.300, 180.320, and 180.325.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default. 2 CFR 180.325.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.335;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property, 2 CFR 180.800;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification, 2 CFR 180.700 and 180.800; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default. 2 CFR 180.335(d).

(5) Are not a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(6) Are not a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability (USDOT Order 4200.6 implementing appropriations act requirements).

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal. 2 CFR 180.335 and 180.340.

* * * * *

3. **Instructions for Certification - Lower Tier Participants:**

(Applicable to all subcontracts, purchase orders, and other lower tier transactions requiring prior FHWA approval or estimated to cost $25,000 or more - 2 CFR Parts 180 and 1200). 2 CFR 180.220 and 1200.220.

a. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances. 2 CFR 180.365.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900 – 180.1020, and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. “First Tier Covered Transactions” refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). “Lower Tier Covered Transactions” refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). “First Tier Participant” refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). “Lower Tier Participant” refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated. 2 CFR 1200.220 and 1200.332.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the $25,000 threshold. 2 CFR 180.220 and 1200.220.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (https://www.sam.gov/), which is compiled by the General Services Administration. 2 CFR 180.300, 180.320, 180.330, and 180.335.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. 2 CFR 180.325.

* * * * *

4. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

a. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals:

(1) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.355;

(2) is a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(3) is a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability. (USDOT Order 4200.6 implementing appropriations act requirements)

b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal.

* * * * *

X. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed $100,000. 49 CFR Part 20, App. A.

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed $100,000 and that all such recipients shall certify and disclose accordingly.

XI. USE OF UNITED STATES-FLAG VESSELS:

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, or any other covered transaction. 46 CFR Part 381.

This requirement applies to material or equipment that is acquired for a specific Federal-aid highway project. 46 CFR 381.7. It is not applicable to goods or materials that come into inventories independent of an FHWA funded-contract.

When oceanic shipments (or shipments across the Great Lakes) are necessary for materials or equipment acquired for a specific Federal-aid construction project, the bidder, proposer, contractor, subcontractor, or vendor agrees:

1. To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to this contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels. 46 CFR 381.7.

2. To furnish within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, ‘on-board’ commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph (b)(1) of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Office of Cargo and Commercial Sealift (MAR-620), Maritime Administration, Washington, DC 20590. (MARAD requires copies of the ocean carrier's (master) bills of lading, certified onboard, dated, with rates and charges. These bills of lading may contain business sensitive information and therefore may be submitted directly to MARAD by the Ocean Transportation Intermediary on behalf of the contractor). 46 CFR 381.7.

ATTACHMENT A - EMPLOYMENT AND MATERIALS PREFERENCE FOR APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS ROAD CONTRACTS (40 U.S.C. sections 14501(d) and 14701 and the Appalachian Regional Commission Code as authorized under 40 U.S.C. section 14302)
This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 40 U.S.C. 14501 allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS

EMPLOYMENT REQUIREMENTS
RELATING TO
NONDISCRIMINATION OF EMPLOYEES
(APPLICABLE TO FEDERAL-AID SYSTEM CONTRACTS)

AN ACT OF THE KENTUCKY GENERAL ASSEMBLY TO PREVENT DISCRIMINATION IN EMPLOYMENT

KRS CHAPTER 344
EFFECTIVE JUNE 16, 1972

The contract on this project, in accordance with KRS Chapter 344, provides that during the performance of this contract, the contractor agrees as follows:

1. The contractor shall not fail or refuse to hire, or shall not discharge any individual, or otherwise discriminate against an individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, national origin, sex, disability or age (forty and above); or limit, segregate, or classify his employees in any way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, national origin, sex, disability or age forty (40) and over. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

2. The contractor shall not print or publish or cause to be printed or published a notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by the employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, except that such a notice or advertisement may indicate a preference, limitation, or specification based on religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, when religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, is a bona fide occupational qualification for employment.

3. If the contractor is in control of apprenticeship or other training or retraining, including on-the-job training programs, he shall not discriminate against an individual because of his race, color, religion, national origin, sex, disability or age forty (40) and over, in admission to, or employment in any program established to provide apprenticeship or other training.

4. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment. The contractor will take such action with respect to any subcontract or purchase order as the administrating agency may direct as a means of enforcing such provisions, including sanctions for non-compliance.

Revised: January 25, 2017

Standard Title VI/Non-Discrimination Assurances

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, **Federal Highway Administration**, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the **Federal Highway Administration** to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the **Federal Highway Administration**, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the **Federal Highway Administration** may determine to be appropriate, including, but not limited to:

    a. withholding payments to the contractor under the contract until the contractor complies; and/or
    b. cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the **Federal Highway Administration** may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Standard Title VI/Non-Discrimination Statutes and Authorities

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

EXECUTIVE BRANCH CODE OF ETHICS

The Executive Branch Code of Ethics created by Kentucky Revised Statutes (KRS) Chapter 11A, effective July 14, 1992, establishes the ethical standards that govern the conduct of all executive branch employees. The Executive Branch Code of Ethics, which states, in part:

> KRS 11A.040 (7) provides:
>
> A present or former public servant listed in KRS 11A.010(9)(a) to (g) shall not, within one (1) year following termination of his or her office or employment, accept employment, compensation, or other economic benefit from any person or business that contracts or does business with, or is regulated by, the state in matters in which he was directly involved during the last thirty-six (36) months of his tenure. This provision shall not prohibit an individual from returning to the same business, firm, occupation, or profession in which he was involved prior to taking office or beginning his term of employment, or for which he received, prior to his state employment, a professional degree or license, provided that, for a period of one (1) year, he or she personally refrains from working on any matter in which he was directly involved during the last thirty-six (36) months of his or her tenure in state government. This subsection shall not prohibit the performance of ministerial functions, including but not limited to filing tax returns, filing applications for permits or licenses, or filing incorporation papers, nor shall it prohibit the former officer or public servant from receiving public funds disbursed through entitlement programs.
>
> KRS 11A.040 (9) states:
>
> A former public servant shall not represent a person or business before a state agency in a matter in which the former public servant was directly involved during the last thirty-six (36) months of his tenure, for a period of one (1) year after the latter of:
>
> a) The date of leaving office or termination of employment; or
> b) The date the term of office expires to which the public servant was elected.

This law is intended to promote public confidence in the integrity of state government and to declare as public policy the idea that state employees should view their work as a public trust and not to obtain private benefits.

If you have worked for the executive branch of state government within the past year, you may be subject to the law's prohibitions. The law's applicability may be different if you hold elected office or are contemplating representation of another before a state agency.

Also, if you are affiliated with a firm which does business with the state and which employs former state executive-branch employees, you should be aware that the law may apply to them.

In case of doubt, the law permits you to request an advisory opinion from the Executive Branch Ethics Commission, 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky 40601; telephone (502) 564-7954.

Revised: March 11, 2025

"General Decision Number: KY20260038 05/18/2026

State: Kentucky

Construction Types: Highway

Counties: Kentucky Counties of
Anderson, Bath, Bourbon, Boyd, Boyle,
Bracken, Breckinridge, Bullitt, Carroll,
Carter, Clark, Elliott, Fayette,
Fleming, Franklin, Gallatin, Grant,
Grayson, Greenup, Hardin, Harrison,
Henry, Jefferson, Jessamine, Larue,
Lewis, Madison, Marion, Mason, Meade,
Mercer, Montgomery, Nelson, Nicholas,
Oldham, Owen, Robertson, Rowan, Scott,
Shelby, Spencer, Trimble, Washington and
Woodford

Modification Number Publication Date
0 01/02/2026
1 05/18/2026

BRIN0004-003 06/01/2024
Rates Fringes
BRICKLAYER (BRECKENRIDGE COUNTY).....$ 33.70 16.57

BRKY0001-005 06/01/2024
Rates Fringes
BRICKLAYER (BULLITT, CARROLL, GRAYSON, HARDIN,
HENRY, JEFFERSON, LARUE, MARION, MEADE, NELSON,
OLDHAM, SHELBY, SPENCER, & TRIMBLE COUNTIES).....$ 35.00 17.13

BRKY0002-006 06/01/2024
Rates Fringes
BRICKLAYER (BRACKEN, GALLATIN, GRANT, MASON &
ROBERTSON COUNTIES).....$ 35.00 17.13

BRKY0007-004 06/01/2024
Rates Fringes
BRICKLAYER (BOYD, CARTER, ELLIOT, FLEMING, GREENUP,
LEWIS & ROWAN COUNTIES).....$ 41.05 21.79

BRKY0017-004 06/01/2024
Rates Fringes
BRICKLAYER (ANDERSON, BATH, BOURBON, BOYLE, CLARK,
FAYETTE, FRANKLIN, HARRISON, JESSAMINE, MADISON,
MERCER, MONTGOMERY, NICHOLAS, OWEN, SCOTT,
WASHINGTON & WOODFORD COUNTIES).....$ 35.00 17.13

CARP0064-001 04/01/2025
Rates Fringes
PILEDRIVERMAN.....$ 34.39 24.06
DIVER.....$ 51.21 24.06
CARPENTER.....$ 33.89 24.06

ELEC0212-008 06/02/2025
Rates Fringes
ELECTRICIAN (BRACKEN, GALLATIN AND GRANT COUNTIES)..$ 38.05 22.97

ELEC0212-014 11/27/2023
Rates Fringes
SOUND & COMMUNICATION TECHNICIAN (BRACKEN, GALLATIN
& GRANT COUNTIES).....$ 27.20 14.54

ELEC0317-012 06/02/2025
Rates Fringes
ELECTRICIAN: WIREMEN (BOYD, CARTER, ELLIOT & ROWAN
COUNTIES).....$ 41.15 29.35

ELEC0369-007 05/27/2025
Rates Fringes
ELECTRICIAN (ANDERSON, BATH, BOURBON, BOYLE,
BRECKINRIDGE, BULLITT, CARROLL, CLARK, FAYETTE,
FRAONKLIN, GRAYSON, HARDIN, HARRISON, HENRY,
JEFFERSON, JESSAMINE, LARUE, MADISON, MARION,
MEADE, MERCER, MONTGOMERY, NELSON, NICHOLAS,
OLDHAM, OWEN, ROBERTSON, SCOTT, SHELBY, SPENCER,
TRIMBLE, WASHINGTON, & WOODFORD COUNTIES:).....$ 40.96 22.44

ELEC0575-002 05/29/2023
Rates Fringes
ELECTRICIAN (FLEMING, GREENUP, LEWIS & MASON
COUNTIES).....$ 37.00 22.26

ENGI0181-018 07/01/2025
Rates Fringes
POWER EQUIPMENT OPERATOR GROUP 4 BITUMINOUS
DISTRIBUTOR; BURLAP & CURING MACHINE; CEMENT GUN;
CONCRETE SAW; CONVEYOR; DECKHAND OILER; GROUT PUMP;
HYDRAULIC POST DRIVER; HYDRO SEEDER; MUD JACK;
OILER; PAVING JOINT MACHINE; POWER FORM HANDLING
EQUIPMENT; PUMP; ROLLER (EARTH); STEERMAN; TAMPING
MACHINE; TRACTOR (UNDER 50 H.P.); & VIBRATOR
CRANES - WITH BOOMS 150 FT. & OVER (INCLUDING JIB),
AND WHERE THE LENGTH OF THE BOOM IN COMBINATION
WITH THE LENGTH OF THE PILING LEADS EQUALS OR
EXCEEDS 150 FT. - $1.00 OVER GROUP 1 RATE
EMPLOYEES ASSIGNED TO WORK BELOW GROUND LEVEL ARE
TO BE PAID 10% ABOVE BASIC WAGE RATE. THIS DOES NOT
APPLY TO OPEN CUT WORK.....$ 38.37 19.60
POWER EQUIPMENT OPERATOR GROUP 3 ALL OFF ROAD
MATERIAL HANDLING EQUIPMENT, INCLUDING ARTICULATING
DUMP TRUCKS; GREASER ON GREASE FACILITIES SERVICING
HEAVY EQUIPMENT CRANES - WITH BOOMS 150 FT. &
OVER (INCLUDING JIB), AND WHERE THE LENGTH OF THE
BOOM IN COMBINATION WITH THE LENGTH OF THE PILING
LEADS EQUALS OR EXCEEDS 150 FT. - $1.00 OVER GROUP
1 RATE EMPLOYEES ASSIGNED TO WORK BELOW GROUND
LEVEL ARE TO BE PAID 10% ABOVE BASIC WAGE RATE.
THIS DOES NOT APPLY TO OPEN CUT WORK.....$ 39.14 19.60
POWER EQUIPMENT OPERATOR GROUP 2 AIR COMPRESSOR
(OVER 900 CU. FT. PER MIN.); BITUMINOUS MIXER; BOOM
TYPE TAMPING MACHINE; BULL FLOAT; CONCRETE MIXER
(UNDER 21 CU. FT.); DREDGE ENGINEER; ELECTRIC
VIBRATOR; COMPACTOR/SELF-PROPELLED COMPACTOR;
ELEVATOR (ONE DRUM OR BUCK HOIST); ELEVATOR (WHEN
USED TO HOIST BUILDING MATERIAL); FINISH MACHINE;
FIREMEN & HOIST (ONE DRUM); FLEXPLANE; FORKLIFT
(REGARDLESS OF LIFT HEIGHT); FORM GRADER; JOINT
SEALING MACHINE; OUTBOARD MOTOR BOAT; POWER SWEEPER
(RIDING TYPE); ROLLER (ROCK); ROSS CARRIER; SKID
MOUNTED OR TRAILER MOUNTED CONRETE PUMP; SKID STEER
MACHINE WITH ALL ATTACHMENTS; SWITCHMAN OR
BRAKEMAN; THROTTLE VALVE PERSON; TRACTAIR & ROAD
WIDENING TRENCHER; TRACTOR (50 H.P. OR OVER); TRUCK
CRANE OILER; TUGGER; WELDING MACHINE; WELL POINTS;
& WHIRLEY OILER CRANES - WITH BOOMS 150 FT. &
OVER (INCLUDING JIB), AND WHERE THE LENGTH OF THE
BOOM IN COMBINATION WITH THE LENGTH OF THE PILING
LEADS EQUALS OR EXCEEDS 150 FT. - $1.00 OVER GROUP
1 RATE EMPLOYEES ASSIGNED TO WORK BELOW GROUND
LEVEL ARE TO BE PAID 10% ABOVE BASIC WAGE RATE.
THIS DOES NOT APPLY TO OPEN CUT WORK.....$ 38.69 19.60
POWER EQUIPMENT OPERATOR GROUP 1 A-FRAME WINCH
TRUCK; AUTO PATROL; BACKFILLER; BATCHER PLANT;
BITUMINOUS PAVER; BITUMINOUS TRANSFER MACHINE; BOOM
CAT; BULLDOZER; MECHANIC; CABLEWAY; CARRY-ALL
SCOOP; CARRY DECK CRANE; CENTRAL COMPRESSOR PLANT;
CHERRY PICKER; CLAMSHELL; CONCRETE MIXER (21 CU.
FT. OR OVER); CONCRETE PAVER; TRUCK-MOUNTED
CONCRETE PUMP; CORE DRILL; CRANE; CRUSHER PLANT;

DERRICK; DERRICK BOAT; DITCHING & TRENCHING
MACHINE; DRAGLINE; DREDGE OPERATOR; DREDGE
ENGINEER; ELEVATING GRADER & LOADERS; GRADE-ALL;
GURRIES; HEAVY EQUIPMENT ROBOTICS
OPERATOR/MECHANIC; HIGH LIFT; HOE-TYPE MACHINE;
HOIST (TWO OR MORE DRUMS); HOISTING ENGINE (TWO OR
MORE DRUMS); HORIZONTAL DIRECTIONAL DRILL OPERATOR;
HYDROCRANE; HYSTER; KECAL LOADER; LETOURNEAU;
LOCOMOTIVE; MECHANIC; MECHANICALLY OPERATED LASER
SCREED; MECHANIC WELDER; MUCKING MACHINE; MOTOR
SCRAPER; ORANGEPEEL BUCKET; OVERHEAD CRANE;
PILEDRIVER; POWER BLADE; PUMPCRETE; PUSH DOZER;
ROCK SPREADER, ATTACHED TO EQUIPMENT; ROTARY DRILL;
ROLLER (BITUMINOUS); ROUGH TERRAIN CRANE;
SCARIFIER; SCOOPMOBILE; SHOVEL; SIDE BOOM;
SUBGRADER; TAILBOOM; TELESCOPING TYPE FORKLIFT; TOW
OR PUSH BOAT; TOWER CRANE (FRENCH, GERMAN & OTHER
TYPES); TRACTOR SHOVEL; TRUCK CRANE; TUNNEL MINING
MACHINES, INCLUDING MOLES, SHIELDS OR SIMILAR TYPES
OF TUNNEL MINING EQUIPMENT CRANES - WITH BOOMS
150 FT. & OVER (INCLUDING JIB), AND WHERE THE
LENGTH OF THE BOOM IN COMBINATION WITH THE LENGTH
OF THE PILING LEADS EQUALS OR EXCEEDS 150 FT. -
$1.00 OVER GROUP 1 RATE EMPLOYEES ASSIGNED TO WORK
BELOW GROUND LEVEL ARE TO BE PAID 10% ABOVE BASIC
WAGE RATE. THIS DOES NOT APPLY TO OPEN CUT WORK.....$ 41.55 19.60

IRON0044-009 06/01/2025
Rates Fringes
IRONWORKER: STRUCTURAL (BRACKEN, GALLATIN, GRANT,
HARRISON, ROBERTSON, BOURBON (NORTHERN THIRD,
INCLUDING TOWNSHIPS OF JACKSON, MILLERSBURG, RUDDEL
MILLS & SHAWHAN); CARROLL (EASTERN THIRD,
INCLUDING THE TOWNSHIP OF GHENT); FLEMING (WESTERN
PART, EXCLUDING TOWNSHIPS OF BEECHBURG, COLFAX,
ELIZAVILLE, FLEMINGSBURG, FLEMINGSBURG JUNCTION,
FOXPORT, GRANGE CITY, HILLSBORO, HILLTOP, MOUNT
CARMEL, MUSES MILLS, NEPTON, PECKSRIDGE, PLUMMERS
LANDING, PLUMMERS MILL, POPLAR PLAINS, RINGOS
MILLS, TILT.....$ 37.77 23.90
IRONWORKER: FENCE ERECTOR (BRACKEN, GALLATIN,
GRANT, HARRISON, ROBERTSON, BOURBON (NORTHERN
THIRD, INCLUDING TOWNSHIPS OF JACKSON, MILLERSBURG,
RUDDEL MILLS & SHAWHAN); CARROLL (EASTERN
THIRD, INCLUDING THE TOWNSHIP OF GHENT); FLEMING
(WESTERN PART, EXCLUDING TOWNSHIPS OF BEECHBURG,
COLFAX, ELIZAVILLE, FLEMINGSBURG, FLEMINGSBURG
JUNCTION, FOXPORT, GRANGE CITY, HILLSBORO, HILLTOP,
MOUNT CARMEL, MUSES MILLS, NEPTON, PECKSRIDGE,
PLUMMERS LANDING, PLUMMERS MILL, POPLAR PLAINS,
RINGOS MILLS, T.....$ 35.88 23.90

IRON0070-006 06/01/2025
Rates Fringes
IRONWORKER (ANDERSON, BOYLE, BRECKINRIDGE, BULLITT,
FAYETTE, FRANKLIN, GRAYSON, HARDIN, HENRY,
JEFFERSON, JESSAMINE, LARUE, MADISON, MARION,
MEADE, MERCER, NELSON, OLDHAM, SHELBY, SPENCER,
TRIMBLE, WASHINGTON & WOODFORD BOURBON
(SOUTHERN TWO-THIRDS, INCLUDING TOWNSHIPS OF
AUSTERLITY, CENTERVILLE, CLINTONVILLE, ELIZABETH,
HUTCHISON, LITTLEROCK, NORTH MIDDLETOWN &
PARIS); CARROLL (WESTERN TWO-THIRDS, INCLUDING
TOWNSHIPS OF CARROLLTON, EASTERDAY, ENGLISH,
LOCUST, LOUIS, PRESTONVILLE &amp.....$ 36.17 25.80---

IRON0769-007 06/01/2025
Rates Fringes
IRONWORKER ZONE 3.....$ 41.70 29.59
IRONWORKER ZONE 2.....$ 40.10 29.59
IRONWORKER ZONE 1.....$ 39.70 29.59

LABO0189-003 07/01/2025
Rates Fringes
LABORERS: GROUP 4 CAISSON WORKER (FREE AIR); CEMENT
FINISHER; ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC
& HAZARDOUS WASTE - LEVELS A & B; MINER & DRILLER
(FREE AIR); TUNNEL BLASTER; & TUNNEL MUCKER (FREE
AIR); DIRECTIONAL & HORIZONTAL BORING; AIR TRACK

DRILLERS (ALL TYPES); POWDERMEN & BLASTERS; TROXLER
& CONCRETE TESTER IF LABORER IS UTILIZED (BATH,
BOURBON, BOYD, BOYLE, BRACKEN, CARTER, CLARK,
ELLIOTT, FAYETTE, FLEMING, FRANKLIN, GALLATIN,
GRANT, GREENUP, HARRISON, JESSAMINE, LEWIS,
MADISON, MASON, MERCER, MONTGOMERY, NICHOLAS, OWEN,
ROBERTSON, ROWAN, SCOTT, & WOOLFORD COUNTIES).....$ 27.77 19.66
LABORERS: GROUP 3 ASPHALT LUTEMAN & RAKER; GUNNITE
NOZZLEMAN; GUNNITE OPERATOR & MIXER; GROUT PUMP
OPERATOR; SIDE RAIL SETTER; RAIL PAVED DITCHES;
SCREW OPERATOR; TUNNEL (FREE AIR); WATER BLASTER
(BATH, BOURBON, BOYD, BOYLE, BRACKEN, CARTER,
CLARK, ELLIOTT, FAYETTE, FLEMING, FRANKLIN,
GALLATIN, GRANT, GREENUP, HARRISON, JESSAMINE,
LEWIS, MADISON, MASON, MERCER, MONTGOMERY,
NICHOLAS, OWEN, ROBERTSON, ROWAN, SCOTT, & WOOLFORD
COUNTIES).....$ 27.17 19.66
LABORERS: GROUP 2 BATTER BOARD MAN (SANITARY &
STORM SEWER); BRICKMASON TENDER; MORTAR MIXER
OPERATOR; SCAFFOLD BUILDER; BURNER & WELDER;
BUSHAMMER; CHAIN SAW OPERATOR; CONCRETE SAW
OPERATOR; DECKHAND SCOW MAN; DRY CEMENT HANDLER;
ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC &
HAZARDOUS WASTE - LEVEL C; FORKLIFT OPERATOR FOR
MASONARY; FORM SETTER; GREEN CONCRETE CUTTING; HAND
OPERATED GROUTER & GRINDER MACHINE OPERATOR;
JACKHAMMER; PAVEMENT BREAKER; PAVING JOINT MACHINE;
PIPELAYER; PLASTIC PIPE FUSION; POWER DRIVEN
GEORGIA BUGGY & WHEEL BARROW; POWER POST HOLE
DIGGER; PRECAST MANHOLE SETTER; WALK-BEHIND TAMPER;
WALK-BEHIND TRENCHER; SAND BLASTER; CONCRETE
CHIPPER; SURFACE GRINDER; VIBRATOR OPERATOR; WAGON
DRILLER (BATH, BOURBON, BOYD, BOYLE, BRACKEN,
CARTER, CLARK, ELLIOTT, FAYETTE, FLEMING, FRANKLIN,
GALLATIN, GRANT, GREENUP, HARRISON, JESSAMINE,
LEWIS, MADISON, MASON, MERCER, MONTGOMERY,
NICHOLAS, OWEN, ROBERTSON, ROWAN, SCOTT, & WOOLFORD
COUNTIES).....$ 27.12 19.66
LABORERS: GROUP 1 AGING & CURING OF CONCRETE;
ASBESTOS ABATEMENT WORKER; ASPHALT PLANT; ASPHALT;
BATCH TRUCK DUMP; CARPENTER TENDER; CEMENT MASON
TENDER; CLEANING OF MACHINES; CONCRETE; DEMOLITION;
DREDGING; ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC
& HAZARDOUS WASTE - LEVEL D; FLAGPERSON; GRADE
CHECKER; HAND DIGGING & HAND BACK FILLING; HIGHWAY
MARKER PLACER; LANDSCAPING, MESH HANDLER & PLACER;
PUDDLER; RAILROAD; RIP-RAP & GROUTER; RIGHT-OF-WAY;
SIGN, GUARD RAIL & FENCE INSTALLER; SIGNAL PERSON;
SOUND BARRIER INSTALLER; STORM & SANITARY SEWER;
SWAMPER; TRUCK SPOTTER & DUMPER; WRECKING OF
CONCRETE FORMS; GENERAL CLEANUP (BATH, BOURBON,
BOYD, BOYLE, BRACKEN, CARTER, CLARK, ELLIOTT,
FAYETTE, FLEMING, FRANKLIN, GALLATIN, GRANT,
GREENUP, HARRISON, JESSAMINE, LEWIS, MADISON,
MASON, MERCER, MONTGOMERY, NICHOLAS, OWEN,
ROBERTSON, ROWAN, SCOTT, & WOOLFORD COUNTIES).....$ 26.87 19.66

LABO0189-008 07/01/2025
Rates Fringes
LABORERS: GROUP 4 CAISSON WORKER (FREE AIR); CEMENT
FINISHER; ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC
& HAZARDOUS WASTE - LEVELS A & B; MINER & DRILLER
(FREE AIR); TUNNEL BLASTER; & TUNNEL MUCKER (FREE
AIR); DIRECTIONAL & HORIZONTAL BORING; AIR TRACK
DRILLERS (ALL TYPES); POWDERMEN & BLASTERS; TROXLER
& CONCRETE TESTER IF LABORER IS UTILIZED
(ANDERSON, BULLITT, CARROLL, HARDIN, HENRY,
JEFFERSON, LARUE, MARION, MEADE, NELSON, OLDHAM,
SHELBY, SPENCER, TRIMBLE & WASHINGTON COUNTIES).....$ 27.77 19.66
LABORERS: GROUP 3 ASPHALT LUTEMAN & RAKER; GUNNITE
NOZZLEMAN; GUNNITE OPERATOR & MIXER; GROUT PUMP
OPERATOR; SIDE RAIL SETTER; RAIL PAVED DITCHES;
SCREW OPERATOR; TUNNEL (FREE AIR); WATER BLASTER
(ANDERSON, BULLITT, CARROLL, HARDIN, HENRY,
JEFFERSON, LARUE, MARION, MEADE, NELSON, OLDHAM,
SHELBY, SPENCER, TRIMBLE & WASHINGTON COUNTIES).....$ 27.17 19.66
LABORERS: GROUP 2 BATTER BOARD MAN (SANITARY &
STORM SEWER); BRICKMASON TENDER; MORTAR MIXER
OPERATOR; SCAFFOLD BUILDER; BURNER & WELDER;
BUSHAMMER; CHAIN SAW OPERATOR; CONCRETE SAW
OPERATOR; DECKHAND SCOW MAN; DRY CEMENT HANDLER;

ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC &
HAZARDOUS WASTE - LEVEL C; FORKLIFT OPERATOR FOR
MASONARY; FORM SETTER; GREEN CONCRETE CUTTING; HAND
OPERATED GROUTER & GRINDER MACHINE OPERATOR;
JACKHAMMER; PAVEMENT BREAKER; PAVING JOINT MACHINE;
PIPELAYER; PLASTIC PIPE FUSION; POWER DRIVEN
GEORGIA BUGGY & WHEEL BARROW; POWER POST HOLE
DIGGER; PRECAST MANHOLE SETTER; WALK-BEHIND TAMPER;
WALK-BEHIND TRENCHER; SAND BLASTER; CONCRETE
CHIPPER; SURFACE GRINDER; VIBRATOR OPERATOR; WAGON
DRILLER (ANDERSON, BULLITT, CARROLL, HARDIN,
HENRY, JEFFERSON, LARUE, MARION, MEADE, NELSON,
OLDHAM, SHELBY, SPENCER, TRIMBLE & WASHINGTON
COUNTIES).....$ 27.12 19.66
LABORERS: GROUP 1 AGING & CURING OF CONCRETE;
ASBESTOS ABATEMENT WORKER; ASPHALT PLANT; ASPHALT;
BATCH TRUCK DUMP; CARPENTER TENDER; CEMENT MASON
TENDER; CLEANING OF MACHINES; CONCRETE; DEMOLITION;
DREDGING; ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC
& HAZARDOUS WASTE - LEVEL D; FLAGPERSON; GRADE
CHECKER; HAND DIGGING & HAND BACK FILLING; HIGHWAY
MARKER PLACER; LANDSCAPING, MESH HANDLER & PLACER;
PUDDLER; RAILROAD; RIP-RAP & GROUTER; RIGHT-OF-WAY;
SIGN, GUARD RAIL & FENCE INSTALLER; SIGNAL PERSON;
SOUND BARRIER INSTALLER; STORM & SANITARY SEWER;
SWAMPER; TRUCK SPOTTER & DUMPER; WRECKING OF
CONCRETE FORMS; GENERAL CLEANUP (ANDERSON,
BULLITT, CARROLL, HARDIN, HENRY, JEFFERSON, LARUE,
MARION, MEADE, NELSON, OLDHAM, SHELBY, SPENCER,
TRIMBLE & WASHINGTON COUNTIES).....$ 26.87 19.66

LABO0189-009 07/01/2025
Rates Fringes
LABORERS: GROUP 4 CAISSON WORKER (FREE AIR); CEMENT
FINISHER; ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC
& HAZARDOUS WASTE - LEVELS A & B; MINER & DRILLER
(FREE AIR); TUNNEL BLASTER; & TUNNEL MUCKER (FREE
AIR); DIRECTIONAL & HORIZONTAL BORING; AIR TRACK
DRILLERS (ALL TYPES); POWDERMEN & BLASTERS; TROXLER
& CONCRETE TESTER IF LABORER IS UTILIZED
(BRECKINRIDGE & GRAYSON COUNTIES).....$ 27.77 19.66
LABORERS: GROUP 3 ASPHALT LUTEMAN & RAKER; GUNNITE
NOZZLEMAN; GUNNITE OPERATOR & MIXER; GROUT PUMP
OPERATOR; SIDE RAIL SETTER; RAIL PAVED DITCHES;
SCREW OPERATOR; TUNNEL (FREE AIR); WATER BLASTER
(BRECKINRIDGE & GRAYSON COUNTIES).....$ 27.17 19.66
LABORERS: GROUP 2 BATTER BOARD MAN (SANITARY &
STORM SEWER); BRICKMASON TENDER; MORTAR MIXER
OPERATOR; SCAFFOLD BUILDER; BURNER & WELDER;
BUSHAMMER; CHAIN SAW OPERATOR; CONCRETE SAW
OPERATOR; DECKHAND SCOW MAN; DRY CEMENT HANDLER;
ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC &
HAZARDOUS WASTE - LEVEL C; FORKLIFT OPERATOR FOR
MASONARY; FORM SETTER; GREEN CONCRETE CUTTING; HAND
OPERATED GROUTER & GRINDER MACHINE OPERATOR;
JACKHAMMER; PAVEMENT BREAKER; PAVING JOINT MACHINE;
PIPELAYER; PLASTIC PIPE FUSION; POWER DRIVEN
GEORGIA BUGGY & WHEEL BARROW; POWER POST HOLE
DIGGER; PRECAST MANHOLE SETTER; WALK-BEHIND TAMPER;
WALK-BEHIND TRENCHER; SAND BLASTER; CONCRETE
CHIPPER; SURFACE GRINDER; VIBRATOR OPERATOR; WAGON
DRILLER (BRECKINRIDGE & GRAYSON COUNTIES).....$ 27.12 19.66
LABORERS: GROUP 1 AGING & CURING OF CONCRETE;
ASBESTOS ABATEMENT WORKER; ASPHALT PLANT; ASPHALT;
BATCH TRUCK DUMP; CARPENTER TENDER; CEMENT MASON
TENDER; CLEANING OF MACHINES; CONCRETE; DEMOLITION;
DREDGING; ENVIRONMENTAL - NUCLEAR, RADIATION, TOXIC
& HAZARDOUS WASTE - LEVEL D; FLAGPERSON; GRADE
CHECKER; HAND DIGGING & HAND BACK FILLING; HIGHWAY
MARKER PLACER; LANDSCAPING, MESH HANDLER & PLACER;
PUDDLER; RAILROAD; RIP-RAP & GROUTER; RIGHT-OF-WAY;
SIGN, GUARD RAIL & FENCE INSTALLER; SIGNAL PERSON;
SOUND BARRIER INSTALLER; STORM & SANITARY SEWER;
SWAMPER; TRUCK SPOTTER & DUMPER; WRECKING OF
CONCRETE FORMS; GENERAL CLEANUP (BRECKINRIDGE &
GRAYSON COUNTIES).....$ 26.87 19.66

PAIN0012-005 06/11/2005
Rates Fringes
PAINTER: SPRAY (BATH, BOURBON, BOYLE, CLARK,

FAYETTE, FLEMING, FRANKLIN, HARRISON, JESSAMINE,
MADISON, MERCER, MONTGOMERY, NICHOLAS, ROBERTSON,
SCOTT & WOODFORD COUNTIES).....$ 21.80 5.90
PAINTER: SANDBLASTING & WATERBLASTING (BATH,
BOURBON, BOYLE, CLARK, FAYETTE, FLEMING, FRANKLIN,
HARRISON, JESSAMINE, MADISON, MERCER, MONTGOMERY,
NICHOLAS, ROBERTSON, SCOTT & WOODFORD COUNTIES).....$ 22.05 5.90
PAINTER: ELEVATED TANKS; STEEPLEJACK WORK; BRIDGE &
LEAD ABATEMENT (BATH, BOURBON, BOYLE, CLARK,
FAYETTE, FLEMING, FRANKLIN, HARRISON, JESSAMINE,
MADISON, MERCER, MONTGOMERY, NICHOLAS, ROBERTSON,
SCOTT & WOODFORD COUNTIES:).....$ 22.30 5.90
PAINTER: BRUSH & ROLLER (BATH, BOURBON, BOYLE,
CLARK, FAYETTE, FLEMING, FRANKLIN, HARRISON,
JESSAMINE, MADISON, MERCER, MONTGOMERY, NICHOLAS,
ROBERTSON, SCOTT & WOODFORD COUNTIES).....$ 21.30 5.90
PAINTER: BRIDGE/EQUIPMENT TENDER AND/OR CONTAINMENT
BUILDER (BATH, BOURBON, BOYLE, CLARK, FAYETTE,
FLEMING, FRANKLIN, HARRISON, JESSAMINE, MADISON,
MERCER, MONTGOMERY, NICHOLAS, ROBERTSON, SCOTT &
WOODFORD COUNTIES:).....$ 18.90 5.90

PAIN0012-017 05/01/2015
Rates Fringes
PAINTER, HEAVY & HIGHWAY BRIDGES - GUARDRAILS -
LIGHTPOLES - STRIPING: SPRAY (BRACKEN, GALLATIN,
GRANT, MASON & OWEN COUNTIES).....$ 23.89 9.06
PAINTER, HEAVY & HIGHWAY BRIDGES - GUARDRAILS -
LIGHTPOLES - STRIPING: SANDBLASTING & WATER
BLASTING (BRACKEN, GALLATIN, GRANT, MASON & OWEN
COUNTIES).....$ 24.14 9.06
PAINTER, HEAVY & HIGHWAY BRIDGES - GUARDRAILS -
LIGHTPOLES - STRIPING: ELEVATED TANKS; STEEPLEJACK
WORK; BRIDGE & LEAD ABATEMENT (BRACKEN, GALLATIN,
GRANT, MASON & OWEN COUNTIES).....$ 24.39 9.06
PAINTER, HEAVY & HIGHWAY BRIDGES - GUARDRAILS -
LIGHTPOLES - STRIPING: BRUSH & ROLLER (BRACKEN,
GALLATIN, GRANT, MASON & OWEN COUNTIES).....$ 23.39 9.06
PAINTER, HEAVY & HIGHWAY BRIDGES - GUARDRAILS -
LIGHTPOLES - STRIPING: BRIDGE EQUIPMENT TENDER AND
CONTAINMENT BUILDER (BRACKEN, GALLATIN, GRANT,
MASON & OWEN COUNTIES).....$ 20.73 9.06

PAIN0118-004 06/01/2018
Rates Fringes
PAINTER: SPRAY, SANDBLAST, POWER TOOLS, WATERBLAST
& STEAM CLEANING (ANDERSON, BRECKINRIDGE, BULLITT,
CARROLL, GRAYSON, HARDIN, HENRY, JEFFERSON, LARUE,
MARION, MEADE, NELSON, OLDHAM, SHELBY, SPENCER,
TRIMBLE & WASHINGTON COUNTIES:).....$ 23.00 12.52
PAINTER: BRUSH & ROLLER (ANDERSON, BRECKINRIDGE,
BULLITT, CARROLL, GRAYSON, HARDIN, HENRY,
JEFFERSON, LARUE, MARION, MEADE, NELSON, OLDHAM,
SHELBY, SPENCER, TRIMBLE & WASHINGTON COUNTIES).....$ 22.00 12.52

PAIN1072-003 12/01/2024
Rates Fringes
PAINTERS: POWER GENERATING FACILITIES (BOYD,
CARTER, ELLIOTT, GREENUP, LEWIS AND ROWAN COUNTIES).$ 34.29 23.95
PAINTERS: BRIDGES; LOCKS; DAMS; TENSION TOWERS &
ENERGIZED SUBSTATIONS (BOYD, CARTER, ELLIOTT,
GREENUP, LEWIS AND ROWAN COUNTIES).....$ 37.53 23.95

PLUM0248-003 06/01/2025
Rates Fringes
PLUMBER AND STEAMFITTER (BOYD, CARTER, ELLIOTT,
GREENUP, LEWIS & ROWAN COUNTIES).....$ 42.75 25.76

PLUM0392-007 06/01/2025
Rates Fringes
PLUMBERS AND PIPEFITTERS (BRACKEN, CARROLL (EASTERN
HALF), GALLATIN, GRANT, MASON, OWEN & ROBERTSON
COUNTIES).....$ 43.30 27.40

PLUM0502-003 08/01/2024
Rates Fringes

PLUMBER (BRECKINRIDGE, BULLITT, CARROLL (WESTERN
HALF), FRANKLIN (WESTERN THREE-FOURTHS), GRAYSON,
HARDIN, HENRY, JEFFERSON, LARUE, MARION, MEADE,
NELSON, OLDHAM, SHELBY, SPENCER, TRIMBLE &
WASHINGTON COUNTIES).....$ 41.90 24.89

SUKY2010-160 10/08/2001
Rates Fringes
TRUCK DRIVERS: GROUP 4 Euclid & Other Heavy
Earthmoving Equipment & Lowboy; Articulator Cat;
5-Axle Vehicle; Winch & A-Frame when used in
transporting materials; Ross Carrier; Forklift when
used to transport building materials; & Pavement
Breaker.....$ 16.96 7.34
TRUCK DRIVERS: GROUP 3 Single Axle Dump; Flatbed;
Semi-trailer or Pole Trailer when used to pull
building materials and equipment; Tandem Axle Dump;
Distributor; Mixer; & Truck Mechanic.....$ 16.86 7.34
TRUCK DRIVERS: GROUP 2 Greaser; Tire Changer; &
Mechanic Tender.....$ 16.68 7.34
TRUCK DRIVERS: GROUP 1 Mobile Batch Truck Tender...$ 16.57 7.34

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.
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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave
for Federal Contractors applies to all contracts subject to the
Davis-Bacon Act for which the contract is awarded (and any
solicitation was issued) on or after January 1, 2017. If this
contract is covered by the EO, the contractor must provide
employees with 1 hour of paid sick leave for every 30 hours
they work, up to 56 hours of paid sick leave each year.
Employees must be permitted to use paid sick leave for their
own illness, injury or other health-related needs, including
preventive care; to assist a family member (or person who is
like family to the employee) who is ill, injured, or has other
health-related needs, including preventive care; or for reasons
resulting from, or to assist a family member (or person who is
like family to the employee) who is a victim of, domestic
violence, sexual assault, or stalking. Additional information
on contractor requirements and worker protections under the EO
is available at
https://www.dol.gov/agencies/whd/government-contracts.

Note: Executive Order 13658 generally applies to contracts subject
to the Davis-Bacon Act that were awarded on or between January 1,
2015 and January 29, 2022, and that have not been renewed or
extended on or after January 30, 2022. Executive Order 13658 does
not apply to contracts subject only to the Davis-Bacon Related Acts
regardless of when they were awarded. If a contract is subject to
Executive Order 13658, the contractor must pay all covered workers
at least $13.65 per hour (or the applicable wage rate listed on this
wage determination, if it is higher) for all hours spent performing on
the contract from May 11, 2026, through December 31, 2026. The
applicable Executive Order minimum wage rate will be adjusted annually.
Additional information on contractor requirements and worker
protections under Executive Order 13658 is available at
www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within
the scope of the classifications listed may be added after
award only as provided in the labor standards contract clauses
(29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classifications
and wage rates that have been found to be prevailing for the
type(s) of construction and geographic area covered by the wage
determination. The classifications are listed in alphabetical
order under rate identifiers indicating whether the particular
rate is a union rate (current union negotiated rate), a survey
rate, a weighted union average rate, a state adopted rate, or a
supplemental classification rate.

Union Rate Identifiers

A four-letter identifier beginning with characters other than
&#65533;SU&#65533;, &#65533;UAVG&#65533;, &#65533;SA&#65533;, or &#65533;SC&#65533; denotes that a union rate was
prevailing for that classification in the survey. Example:
PLUM0198-005 07/01/2024. PLUM is an identifier of the union

whose collectively bargained rate prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio. The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

Survey Rate Identifiers

The "SU" identifier indicates that either a single non-union rate prevailed (as defined in 29 CFR 1.2) for this classification in the survey or that the rate was derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

"SU" wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

State Adopted Rate Identifiers

The "SA" identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME refers to the State of Maine. 2023 is the year during which the state completed the survey on which the listed classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the "SA" identifier took effect under state law in the state from which the rates were adopted.

WAGE DETERMINATION APPEALS PROCESS

1) Has there been an initial decision in the matter? This can be:
 a) a survey underlying a wage determination
 b) an existing published wage determination
 c) an initial WHD letter setting forth a position on a wage determination matter
 d) an initial conformance (additional classification and rate) determination

On survey related matters, initial contact, including requests for summaries of surveys, should be directed to the WHD Branch of Wage Surveys. Requests can be submitted via email to davisbaconinfo@dol.gov or by mail to:
 Branch of Wage Surveys

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 Wage and Hour Division
 U.S. Department of Labor
 200 Constitution Avenue, N.W.
 Washington, DC 20210
Regarding any other wage determination matter such as
conformance decisions, requests for initial decisions should be
directed to the WHD Branch of Construction Wage Determinations.
Requests can be submitted via email to BCWD-Office@dol.gov or
by mail to:
 Branch of Construction Wage Determinations
 Wage and Hour Division
 U.S. Department of Labor
 200 Constitution Avenue, N.W.
 Washington, DC 20210
2) If an initial decision has been issued, then any interested
party (those affected by the action) that disagrees with the
decision can request review and reconsideration from the Wage
and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7).
Requests for review and reconsideration can be submitted via
email to dba.reconsideration@dol.gov or by mail to:
 Wage and Hour Administrator
 U.S. Department of Labor
 200 Constitution Avenue, N.W.
 Washington, DC 20210
The request should be accompanied by a full statement of the
interested party's position and any information (wage payment
data, project description, area practice material, etc.) that
the requestor considers relevant to the issue.

3) If the decision of the Administrator is not favorable, an
interested party may appeal directly to the Administrative
Review Board (formerly the Wage Appeals Board). Write to:
 Administrative Review Board
 U.S. Department of Labor
 200 Constitution Avenue, N.W.
 Washington, DC 20210.
================================================================
 END OF GENERAL DECISION
"
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Fringe benefit amounts are applicable for all hours worked except when otherwise noted.

No laborer, workman or mechanic shall be paid at a rate less than that of a Journeyman except those classified as bona fide apprentices.

Apprentices or trainees shall be permitted to work as such subject to Administrative Regulations adopted by the Commissioner of Workplace Standards. Copies of these regulations will be furnished upon request from any interested person.

Before using apprentices on the job the contractor shall present to the Contracting Officer written evidence of registration of such employees in a program of a State apprenticeship and training agency approved and recognized by the U. S. Bureau of Apprenticeship and Training. In the absence of such a State agency, the contractor shall submit evidence of approval and registration by the U. S. Bureau of Apprenticeship and Training.

The contractor shall submit to the Contracting Officer, written evidence of the established apprenticeship-journeyman ratios and wage rates in the project area, which will be the basis for establishing such ratios and rates for the project under the applicable contract provisions.

TO: EMPLOYERS/EMPLOYEES

PREVAILING WAGE SCHEDULE:

The wages indicated on this wage schedule are the least permitted to be paid for the occupations indicated. When an employee works in more than one classification, the employer must record the number of hours worked in each classification at the prescribed hourly base rate.

OVERTIME:

Overtime is to be paid to an employee at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty (40) hours in such workweek. Wage violations or questions should be directed to the designated Engineer or the undersigned.

Director
Division of Construction Procurement
Frankfort, Kentucky 40622
502-564-3500

PART IV

BID ITEMS

261132

PROPOSAL BID ITEMS

Report Date 11/10/26

261132

Section: 0001 - PAVING

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00003		CRUSHED STONE BASE	11,856.00	TON		$	
0020	00013		LIME STABILIZED ROADBED	13,168.00	SQYD		$	
0030	00014		LIME	249.00	TON		$	
0040	00100		ASPHALT SEAL AGGREGATE	132.00	TON		$	
0050	00103		ASPHALT SEAL COAT	15.80	TON		$	
0060	00221		CL2 ASPH BASE 0.75D PG64-22	6,212.00	TON		$	
0070	00301		CL2 ASPH SURF 0.38D PG64-22	1,859.00	TON		$	
0080	00356		ASPHALT MATERIAL FOR TACK	17.08	TON		$	
0090	00358		ASPHALT CURING SEAL	27.00	TON		$	
0100	02702		SAND FOR BLOTTER	4.00	TON		$	

Section: 0002 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0110	00078		CRUSHED AGGREGATE SIZE NO 2	966.00	TON		$	
0120	01310		REMOVE PIPE	40.00	LF		$	
0130	02014		BARRICADE-TYPE III	6.00	EACH		$	
0140	02091		REMOVE PAVEMENT	1,566.00	SQYD		$	
0150	02159		TEMP DITCH	2,468.00	LF		$	
0160	02160		CLEAN TEMP DITCH	1,234.00	LF		$	
0170	02200		ROADWAY EXCAVATION	24,305.00	CUYD		$	
0180	02242		WATER	75.00	MGAL		$	
0190	02351		G/R-W BEAM-S FACE TL-3	627.00	LF		$	
0200	02360		G/R TERMINAL SECTION NO 1	2.00	EACH		$	
0210	02381		REMOVE G/R	458.00	LF		$	
0220	02391		G/R END TREATMENT TYPE 4A	2.00	EACH		$	
0230	02397		TEMP G/R	650.00	LF		$	
0240	02429		RIGHT-OF-WAY MONUMENT TYPE 1	31.00	EACH		$	
0250	02432		WITNESS POST	31.00	EACH		$	
0260	02545		CLEARING AND GRUBBING 14.74 ACRES	1.00	LS		$	
0270	02555		CONCRETE-CLASS B	282.00	CUYD		$	
0280	02562		TEMPORARY SIGNS	81.00	SQFT		$	
0290	02585		EDGE KEY	144.00	LF		$	
0300	02603		FABRIC-GEOTEXTILE CLASS 2	5,639.00	SQYD		$	
0310	02612		HANDRAIL-TYPE A-2	300.00	LF		$	
0320	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		$	
0330	02651		DIVERSIONS (BY-PASS DETOURS) LT STA 23+75.00 to LT STA 32+50.00	1.00	LS		$	
0340	02651		DIVERSIONS (BY-PASS DETOURS) RT STA 47+50.00 to RT STA 73+38.89	1.00	LS		$	
0350	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		$	
0360	02690		SAFELOADING	16.00	CUYD		$	
0370	02701		TEMP SILT FENCE	2,468.00	LF		$	

261132

PROPOSAL BID ITEMS

Report Date 11/10/26

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0380	02703		SILT TRAP TYPE A	15.00	EACH		$	
0390	02704		SILT TRAP TYPE B	15.00	EACH		$	
0400	02705		SILT TRAP TYPE C	15.00	EACH		$	
0410	02706		CLEAN SILT TRAP TYPE A	15.00	EACH		$	
0420	02707		CLEAN SILT TRAP TYPE B	15.00	EACH		$	
0430	02708		CLEAN SILT TRAP TYPE C	15.00	EACH		$	
0440	02726		STAKING	1.00	LS		$	
0450	05952		TEMP MULCH	47,561.00	SQYD		$	
0460	05953		TEMP SEEDING AND PROTECTION	35,671.00	SQYD		$	
0470	05963		INITIAL FERTILIZER	2.15	TON		$	
0480	05964		MAINTENANCE FERTILIZER	2.83	TON		$	
0490	05985		SEEDING AND PROTECTION	48,818.00	SQYD		$	
0500	05989		SPECIAL SEEDING CROWN VETCH	7,946.00	SQYD		$	
0510	05992		AGRICULTURAL LIMESTONE	25.80	TON		$	
0520	10020NS		FUEL ADJUSTMENT	28,383.00	DOLL	$1.00	$	$28,383.00
0530	10030NS		ASPHALT ADJUSTMENT	49,636.00	DOLL	$1.00	$	$49,636.00
0540	20550ND		SAWCUT PAVEMENT	144.00	LF		$	

Section: 0003 - DRAINAGE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0550	00440		ENTRANCE PIPE-15 IN	348.00	LF		$	
0560	00462		CULVERT PIPE-18 IN	74.00	LF		$	
0570	00466		CULVERT PIPE-30 IN	50.00	LF		$	
0580	00500		CULVERT PIPE-54 IN EQUIV	100.00	LF		$	
0590	01204		PIPE CULVERT HEADWALL-18 IN	1.00	EACH		$	
0600	01452		S & F BOX INLET-OUTLET-30 IN	2.00	EACH		$	
0610	01490		DROP BOX INLET TYPE 1	1.00	EACH		$	
0620	02483		CHANNEL LINING CLASS II	587.00	TON		$	
0630	05950		EROSION CONTROL BLANKET	3,877.00	SQYD		$	
0640	21981NN		METAL END SECTION TY 3-36 IN (EQUIV)	1.00	EACH		$	
0650	22581EN		ENTRANCE PIPE-36 IN	36.00	LF		$	
0660	23048NN		METAL END SECTION TY 3-54 IN (EQUIV)	2.00	EACH		$	
0670	23274EN11F		TURF REINFORCEMENT MAT 1	3,244.00	SQYD		$	

Section: 0004 - BRIDGE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0680	02731		REMOVE STRUCTURE	1.00	LS		$	
0690	03299		ARMORED EDGE FOR CONCRETE	92.40	LF		$	
0700	08002		STRUCTURE EXCAV-SOLID ROCK	147.00	CUYD		$	
0710	08003		FOUNDATION PREPARATION	1.00	LS		$	
0720	08100		CONCRETE-CLASS A	316.80	CUYD		$	
0730	08104		CONCRETE-CLASS AA	25.70	CUYD		$	
0740	08150		STEEL REINFORCEMENT	33,474.00	LB		$	
0750	08151		STEEL REINFORCEMENT-EPOXY COATED	3,565.00	LB		$	
0760	08662		PRECAST PC BOX BEAM CB17-48	400.00	LF		$	

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PROPOSAL BID ITEMS

Report Date 11/10/26

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0770	23326EC		EXCAVATION-UNCLASSIFIED	104.00	CUYD		$	
0780	23378EC		CONCRETE SEALING	5,077.00	SQFT		$	
0790	25017ED		RAIL SYSTEM SIDE MOUNTED MGS	69.00	LF		$	
0800	26233EC		MOBILIZATION FOR CONCRETE SURF TREATMENT	1.00	LS		$	

Section: 0005 - UTILITY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0810	14003		W CAP EXISTING MAIN	3.00	EACH		$	
0820	14009		W ENCASEMENT STEEL BORED RANGE 4	60.00	LF		$	
0830	14019		W FIRE HYDRANT ASSEMBLY	4.00	EACH		$	
0840	14030		W METER RELOCATE	4.00	EACH		$	
0850	14060		W PIPE PVC 08 INCH	3,366.00	LF		$	
0860	14080		W SERV PE/PLST LONG SIDE 3/4 IN	3.00	EACH		$	
0870	14085		W SERV PE/PLST SHORT SIDE 3/4 IN	2.00	EACH		$	
0880	14089		W TAPPING SLEEVE AND VALVE SIZE 1	4.00	EACH		$	
0890	14106		W VALVE 08 INCH	4.00	EACH		$	
0900	15019		S ENCASEMENT STEEL BORED RANGE 6	50.00	LF		$	
0910	15024		S ENCASEMENT STEEL OPEN CUT RANGE 5	70.00	LF		$	
0920	15025		S ENCASEMENT STEEL OPEN CUT RANGE 6	120.00	LF		$	
0930	15063		S FORCE MAIN PVC 12 INCH	150.00	LF		$	
0940	15068		S FORCE MAIN SPECIAL	1.00	LF		$	
0950	15077		S FORCE MAIN TIE-IN 12 INCH	1.00	EACH		$	
0960	15088		S LATERAL LONG SIDE 06 INCH	4.00	EACH		$	
0970	15092		S MANHOLE	12.00	EACH		$	
0980	15093		S MANHOLE ABANDON/REMOVE	11.00	EACH		$	
0990	15098		S MANHOLE SPECIAL	6.00	EACH		$	
1000	15099		S MANHOLE TAP EXISTING	2.00	EACH		$	
1010	15112		S PIPE PVC 08 INCH	389.00	LF		$	
1020	15114		S PIPE PVC 12 INCH	1,458.00	LF		$	
1030	15120		S SPECIAL ITEM	383.00	EACH		$	

Section: 0006 - SIGNING

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1040	06406		SBM ALUM SHEET SIGNS .080 IN	21.25	SQFT		$	
1050	06407		SBM ALUM SHEET SIGNS .125 IN	46.65	SQFT		$	
1060	06410		STEEL POST TYPE 1	170.00	LF		$	
1070	06510		PAVE STRIPING-TEMP PAINT-4 IN	33,600.00	LF		$	
1080	06514		PAVE STRIPING-PERM PAINT-4 IN	19,580.00	LF		$	
1090	06540		PAVE STRIPING-THERMO-4 IN W	80.00	LF		$	
1100	06541		PAVE STRIPING-THERMO-4 IN Y	80.00	LF		$	
1110	20191ED		OBJECT MARKER TY 3	4.00	EACH		$	
1120	24631EC		BARCODE SIGN INVENTORY	10.00	EACH		$	

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PROPOSAL BID ITEMS

Report Date 11/10/26

Section: 0007 - TRAFFIC LOOPS

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1130	04793		CONDUIT-1 1/4 IN	70.00	LF		$	
1140	04795		CONDUIT-2 IN	15.00	LF		$	
1150	04811		ELECTRICAL JUNCTION BOX TYPE B	1.00	EACH		$	
1160	04820		TRENCHING AND BACKFILLING	80.00	LF		$	
1170	04829		PIEZOELECTRIC SENSOR	4.00	EACH		$	
1180	04830		LOOP WIRE	900.00	LF		$	
1190	04871		POLE 35 FT WOODEN	1.00	EACH		$	
1200	04895		LOOP SAW SLOT AND FILL	180.00	LF		$	
1210	04899		ELECTRICAL SERVICE	1.00	EACH		$	
1220	20392NS835		ELECTRICAL JUNCTION BOX TYPE C	1.00	EACH		$	

Section: 0008 - DEMOBILIZATION &/OR MOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
1230	02568		MOBILIZATION	1.00	LS		$	
1240	02569		DEMOBILIZATION	1.00	LS		$	