



**CALL NO. 300**

**CONTRACT ID. 111354**

**LYON COUNTY**

**FED/STATE PROJECT NUMBER JL03 072 0062 008-009**

**DESCRIPTION US 62-KY 93**

**WORK TYPE GRADE & DRAIN WITH ASPHALT SURFACE**

**PRIMARY COMPLETION DATE 105 WORKING DAYS**

**LETTING DATE: December 9, 2011**

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN STANDARD TIME December 9, 2011. Bids will be publicly announced at 10:00 AM EASTERN STANDARD TIME.

**ROAD PLANS**

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

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**PART I**  
**SCOPE OF WORK**

CONTRACT ID - 111354

ADMINISTRATIVE DISTRICT - 01

PROJECT(S) IDENTIFICATION AND DESCRIPTION:

COUNTY - LYON

PCN - DE07200621154

JL03 072 0062 008-009

US 62-KY 93 CONSTRUCT LEFT TURN LANES AT US 62-KY 93, A DISTANCE OF 0.19 MILES. GRADE &  
DRAIN WITH ASPHALT SURFACE. SYP NO. 01-08302.00.

GEOGRAPHIC COORDINATES LATITUDE 37^05'13" LONGITUDE 88^05'14"

COMPLETION DATE(S):

105 WORKING DAYS

APPLIES TO ENTIRE CONTRACT

## **CONTRACT NOTES**

### **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 Expedite Bidding Program available on the Internet web site of the Department of Highways, Division of Construction Procurement. ([www.transportation.ky.gov/contract](http://www.transportation.ky.gov/contract))

The Bidder must download the bid file located on the Bid Express website ([www.bidx.com](http://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 is advised that the Underground Facility Damage Protection Act of 1994, became law January 1, 1995. It is the contractor's responsibility to determine the impact of the act regarding this project, and take all steps necessary to be in compliance with the provision of the act.

### **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 fax (502) 564-7299 or email to [kytc.projectquestions@ky.gov](mailto: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/contract](http://www.transportation.ky.gov/contract)). The answers provided shall be considered part of this Special Note and, in case of a discrepancy, will govern over all other bidding documents.

### **ACCESS TO RECORDS**

The contractor, as defined in KRS 45A.030 (9) 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 contract for the purpose of financial audit or program review. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS 61.878(1)(c). 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.

In the event of a dispute between the contractor and the contracting agency, Attorney General, or the Auditor of Public Accounts over documents that are eligible for

production and review, the Finance and Administration Cabinet shall review the dispute and issue a determination, in accordance with Secretary's Order 11-004. (See attachment)

10/18/2011



**Steven L. Beshear**  
Governor

Commonwealth of Kentucky  
Finance and Administration Cabinet  
**OFFICE OF THE SECRETARY**  
Room 383, Capitol Annex  
702 Capital Avenue  
Frankfort, KY 40601-3462  
(502) 564-4240  
Fax (502) 564-6785

**Lori H. Flanery**  
Secretary

## **SECRETARY'S ORDER 11-004**

### **FINANCE AND ADMINISTRATION CABINET**

#### **Vendor Document Disclosure**

**WHEREAS**, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a mechanism should be created which would provide for review and assistance to an Executive Branch agency if said agency cannot obtain access to documents that it deems necessary to conduct a review of the records of a private vendor that holds a contract to provide goods and/or services to the Commonwealth; and

**WHEREAS**, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a mechanism should be created which would provide for review and assistance to an Executive Branch agency if said agency cannot obtain access to documents that it deems necessary during the course of an audit, investigation or any other inquiry by an Executive Branch agency that involves the review of documents; and

**WHEREAS**, KRS 42.014 and KRS 12.270 authorizes the Secretary of the Finance and Administration Cabinet to establish the internal organization and assignment of functions which are not established by statute relating to the Finance and Administration Cabinet; further, KRS Chapter 45A.050 and 45A.230 authorizes the Secretary of the Finance and Administration Cabinet to procure, manage and control all supplies and services that are procured by the Commonwealth and to intervene in controversies among vendors and state agencies; and

**NOW, THEREFORE**, pursuant to the authority vested in me by KRS 42.014, KRS 12.270, KRS 45A.050, and 45A.230, I, Lori H. Flanery, Secretary of the Finance and Administration Cabinet, do hereby order and direct the following:

- I. Upon the request of an Executive Branch agency, the Finance and Administration Cabinet ("FAC") shall formally review any dispute arising where the agency has requested documents from a private vendor that holds a state contract and the vendor has refused access to said documents under a claim that said documents are not directly pertinent or relevant to the agency's inquiry upon which the document request was predicated.
- II. Upon the request of an Executive Branch agency, the FAC shall formally review any situation where the agency has requested documents that the agency deems necessary to



conduct audits, investigations or any other formal inquiry where a dispute has arisen as to what documents are necessary to conclude the inquiry.

- III. Upon receipt of a request by a state agency pursuant to Sections I & II, the FAC shall consider the request from the Executive Branch agency and the position of the vendor or party opposing the disclosure of the documents, applying any and all relevant law to the facts and circumstances of the matter in controversy. After FAC's review is complete, FAC shall issue a Determination which sets out FAC's position as to what documents and/or records, if any, should be disclosed to the requesting agency. The Determination shall be issued within 30 days of receipt of the request from the agency. This time period may be extended for good cause.
- IV. If the Determination concludes that documents are being wrongfully withheld by the private vendor or other party opposing the disclosure from the state agency, the private vendor shall immediately comply with the FAC's Determination. Should the private vendor or other party refuse to comply with FAC's Determination, then the FAC, in concert with the requesting agency, shall effectuate any and all options that it possesses to obtain the documents in question, including, but not limited to, jointly initiating an action in the appropriate court for relief.
- V. Any provisions of any prior Order that conflicts with the provisions of this Order shall be deemed null and void.

**SPECIAL NOTE FOR RECIPROCAL PREFERENCE**

**Reciprocal preference to be given by public agencies to resident bidders**

**By reference, KRS 45A.490 to 45A.494 are incorporated herein and in compliance regarding the bidders residency. Bidders who want to claim resident bidder status should complete the Affidavit for Claiming Resident Bidder Status along with their bid in the Expedite Bidding Program. Submittal of the Affidavit should be done along with the bid in Bid Express.**

03/01/2011

**OPTION B**

Be advised that the Department will control and accept compaction of asphalt mixtures furnished on this project under OPTION B in accordance with Sections 402 and 403.

## **SPECIAL PROVISION FOR WASTE AND BORROW SITES**

Obtain U.S. Army Corps of Engineer's approval before utilizing a waste or borrow site that involves "Waters of the United States". The Corps of Engineers defines "Waters of the United States" as perennial or intermittent streams, ponds or wetlands. The Corps of Engineers also considers ephemeral streams, typically dry except during rainfall but having a defined drainage channel, to be jurisdictional waters. Direct questions concerning any potential impacts to "Waters of the United States" to the attention of the appropriate District Office for the Corps of Engineers for a determination prior to disturbance. Be responsible for any fees associated with obtaining approval for waste and borrow sites from the U.S. Army Corps of Engineer or other appropriate regulatory agencies.

1-296 Waste & Borrow Sites  
01/02/2012

# Right-of-Way Certification Form

Revised 2/22/11

☐ Federal Funded

☒ Original

☒ State Funded

☐ Re-Certification

This form must be completed and submitted to FHWA with the PS&E package for federal-aid funded Interstate, Appalachia, and Major projects. This form shall also be submitted to FHWA for all federal-aid projects that fall under Conditions No. 2 or 3 outlined elsewhere in this form. When Condition No. 2 or 3 apply, KYTC shall resubmit this ROW Certification prior to construction contract Award. For all other federal-aid projects, this form shall be completed and retained in the KYTC project file.

Date: October 21, 2011

Project Name: Construct Turn Lanes at US 62/KY 93

Letting Date: December 9, 2011

Project #: FD04 7998801

County: Lyon

Item #: 01-8302.00

Federal #: N/A

Description of Project: Construct Turn Lanes at US 62/KY 93.

## Projects that require NO new or additional right-of-way acquisitions and/or relocations

- ☒ The proposed transportation improvement will be built within the existing rights-of-way and there are no properties to be acquired, individuals, families, and businesses ("relocatees") to be relocated, or improvements to be removed as a part of this project.

## Projects that require new or additional right-of-way acquisitions and/or relocations

- ☐ Per 23 CFR 635.309, the KYTC hereby certify that all relocatees have been relocated to decent, safe, and sanitary housing or that KYTC has made available to relocatees adequate replacement housing in accordance with the provisions of the current FHWA directive(s) covering the administration of the Highway Relocation Assistance Program and that at least one of the following three conditions has been met. (Check those that apply.)

- ☐ **Condition 1.** All necessary rights-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. Fair market value has been paid or deposited with the court.

- ☐ **Condition 2.** Although all necessary rights-of-way have 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. Trial or appeal of 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. Fair market value has been paid or deposited with the court for most parcels. Fair market value for all pending parcels will be paid or deposited with the court prior to AWARD of construction contract. (See note 1 below.)

**Note 1:** The KYTC shall re-submit a right-of-way certification form for this project prior to AWARD of all Federal-Aid construction contracts. Award must not to be made until after KYTC has obtained full legal possession and fair market value for all parcels has been paid or deposited with the court and FHWA has concurred in the re-submitted right-of-way certification.

## Right-of-Way Certification Form

Revised 2/22/11

- ☐ **Condition 3.** The acquisition or right of occupancy and use of a few remaining parcels are not complete and/or some parcels still have occupants. However, all remaining occupants have had replacement housing made available to them in accordance with 49 CFR 24.204. The KYTC is hereby requesting authorization to advertise this project for bids and to proceed with bid letting even though the necessary rights-of-way will not be fully acquired, and/or some occupants will not be relocated, and/or the fair market value 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. A full explanation and reason for this request, including identification of each such parcel and dates on which acquisitions, payments, and relocations will be completed, is attached to this certification form for FHWA concurrence. (See note 2.)

**Note 2:** The KYTC may request authorization on this basis only in unique and unusual circumstances. Proceeding to bid letting shall be the exception and never become the rule. In all cases, the KYTC shall make extraordinary efforts to expedite completion of the acquisition, payment for all affected parcels, and the relocation of all relocatees prior to AWARD of all Federal-Aid construction contracts or force account construction.

Approved:

Greg L. Morgan  
Printed Name

Signature

10/21/11  
Right-of-Way Supervisor

Approved:

DAVID L. ORR  
Printed Name

Signature

10/21/11  
KYTC, Director of ROW & Utilities

Approved:

Printed Name

Signature

FHWA, ROW Officer (when applicable)

# Right-of-Way Certification Form

Revised 2/22/11

Date: October 21, 2011

Project Name: Construct Turn Lanes at US 62/KY 93

Project #: FD04 7998801

Item #: 01-8302.00

Letting Date: December 9, 2011

County: Lyon

Federal #: N/A

This project has 0 total number of parcels to be acquired, and 0 total number of individuals or families to be relocated, as well as 0 total number of businesses to be relocated.

       Parcels where acquired by a signed fee simple deed and fair market value has been paid

       Parcels have been acquired by IOJ through condemnation and fair market value has been deposited with the court

       Parcels have not been acquired at this time (*explain below for each parcel*)

       Parcels have been acquired or have a "right of entry" but fair market value has not been paid or has not been deposited with the court (*explain below for each parcel*)

       Relocates have not been relocated from parcels       ,       ,       ,       ,       ,       , and       . (*explain below for each parcel*)

Parcel #	Name/Station	Explanation for delayed acquisition, delayed relocation, or delayed payment of fair market value	Proposed date of payment or of relocation

There are 0 billboards and/or 0 cemeteries involved on this project.

There are 0 water or monitoring wells on parcels       ,       ,       ,       , and       . All have been acquired and are the responsibility of the project contractor to close/cap.

Form Effective Date: April 1, 2006

Last Revised: February 22, 2011

## **SPECIAL NOTES FOR UTILITY CLEARANCE IMPACT ON CONSTRUCTION**

### **LYON COUNTY JLO3 072 7998801U Turn Lanes @ US 62/KY 93 Intersection Item No. 1-8302.00**

The following utility companies may have facilities within the project limits:

**AT&T TELECOMMUNICATIONS** - Has telecommunication lines within the project limits that are not in conflict with the roadway construction according to AT&T Engineering staff.

**City of Eddyville Water & Sewer** - Has Water and Sewer in the construction areas that are not to be disturbed. Any adjustments to valve box height should be coordinated with the Water Department.

**Kentucky Utilities** - Has over head utility lines in the project area. Use caution when working in these areas.

**Atmos Energy** - Has a gas service in the vicinity of Parcels 5 & 6 along Fairview Avenue which is not shown on the plans.

There are no railroads located on or involved with this project.

### **PROTECTION OF UTILITIES**

The location of utilities provided in the contract documents has been furnished by the facility owners and/or by reviewing record drawings and may not be accurate. It will be the road contractor's responsibility to locate utilities before excavating by calling the various utility owners and by examining any supplemental information supplied by the Cabinet. If necessary, the roadway contractor shall determine the exact location and elevation of utilities by hand digging to expose utilities before excavating in the area of a utility. The cost for repair and any other associated costs for any damage to utilities caused by the roadway contractor's operations shall be borne by the roadway contractor.

The Contractor is advised to contact 811 one-call system; however, the Contractor should be aware that owners of underground facilities are not required to be members of the 811 one-call system. It may be necessary for the Contractor to contact the County Court Clerk to determine what utility companies have facilities in the project area.



KyTC BMP Plan for Project PCN ## - #####



**Kentucky Transportation Cabinet**

**Highway District 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 93-Construct Left Turn Lanes,  
Lyon County, Kentucky**

**Project: PCN ## - #####**

## KyTC BMP Plan for Project PCN ## - ####

### Project information

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

1. Owner – Kentucky Transportation Cabinet, District 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 (Address) KY 93
6. Latitude/Longitude (project mid-point) 37^05'13", 88^05'13"
7. County (project mid-point) Lyon
8. Project start date (date work will begin): (2)
9. Projected completion date: (2)

## KyTC BMP Plan for Project PCN ## - #####

### A. Site description:

1. Nature of Construction Activity (from letting project description): This project is the construction of left turn lanes for KY 93/Fairview Road at its intersection with US 62.
2. Order of major soil disturbing activities (2) and (3)
3. Projected volume of material to be moved: 3495 cubic yards
4. Estimate of total project area (acres): 0.6 acres
5. Estimate of area to be disturbed (acres): 0.6 acres
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.
7. Data describing existing soil condition: The majority of soil horizons and slopes on this project are subject to erosion.
8. Data describing existing discharge water quality (if any): There is no information for this item.
9. Receiving water name: Cumberland River
10. TMDLs and Pollutants of Concern in Receiving Waters: No TMDLs were involved on this project.
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.

## KyTC BMP Plan for Project PCN ## - ####

### 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. All DDA's will have adequate BMP's in place before being disturbed.
3. As DDAs are prepared for construction, the following will be addressed for the project as a whole or for each DDA as appropriate:

## KyTC BMP Plan for Project PCN ## - #####

- 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.

## KyTC BMP Plan for Project PCN ## - ####

- 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

## 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 Resident 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

## KyTC BMP Plan for Project PCN ## - #####

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

## KyTC BMP Plan for Project PCN ## - #####

### 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**



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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 contact 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.

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### 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.

### 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 received KyTC Grade Level II training or other qualification as prescribed by the cabinet that includes instruction concerning sediment and erosion control.
- 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.

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- 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 70 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 from 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)

## KyTC BMP Plan for Project PCN ## - #####

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.

### KyTC BMP Plan for Project PCN ## - ####

- (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.)

## Contractor and Resident Engineer Plan certification

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

(3) Signed \_\_\_\_\_ title \_\_\_\_\_,  
 Typed or printed name<sup>1</sup> \_\_\_\_\_ 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.

KyTC BMP Plan for Project PCN ## - #####

**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<sup>1</sup> 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.

SYP8161

05 OCT 2011

KENTUCKY TRANSPORTATION CABINET  
COMMUNICATING ALL PROMISES (CAP)

<b>Item No.</b>	1 - 8302	<b>Project Mgr.</b>	MIKE MCGREGOR
<b>CAP #</b>	<b>Date of Promise</b>	<b>Promise made to:</b>	<b>Location of Promise</b>
1			
<b>CAP Description</b>			
THERE ARE NO CAPS FOR THIS PROJECT.			



**PART II**

**SPECIFICATIONS AND STANDARD DRAWINGS**

### **SPECIFICATIONS REFERENCE**

Any reference in the plans or proposal to the *Standard Specifications for Road and Bridge Construction, Edition of 2004*, and *Standard Drawings, Edition of 2000* are superseded by *Standard Specifications for Road and Bridge Construction, Edition of 2008* and *Standard Drawings, Edition of 2003 with the 2008 Revision*.

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<b>SUBSECTION: REVISION:</b>	101.02 Abbreviations. Insert the following abbreviation and text into the section:  KEPSC     Kentucky Erosion Prevention and Sediment Control
<b>SUBSECTION: REVISION:</b>	101.03 Definitions. Replace the definition for Specifications – <i>Special Provisions</i> with the following:  Additions and revisions to the Standard and Supplemental Specifications covering conditions peculiar to an individual project.
<b>SUBSECTION: REVISION:</b>	102.03 Contents of the Bid Proposal Form. Replace the first sentence of the first paragraph with the following: The Bid Proposal form will be available on the Department internet website ( <a href="http://transportation.ky.gov/contract/">http://transportation.ky.gov/contract/</a> ).  Delete the second paragraph.  Delete the last paragraph.
<b>SUBSECTION: REVISION:</b>	102.04 Issuance of Bid Proposal Form. Replace Heading with the following:  102.04 Bidder Registration.  Replace the first sentence of the first paragraph with the following:  The Department reserves the right to disqualify or refuse to place a bidder on the eligible bidder's list for a project for any of the following reasons:  Replace the last sentence of the subsection with the following:  The Department will resume placing the bidder on the eligible bidder's list for projects after the bidder improves his operations to the satisfaction of the State Highway Engineer.
<b>SUBSECTION: REVISION:</b>	102.06 Examination of Plans, Specifications, Special Provisions, Special Notes, and Site of Work. Replace the first paragraph with the following:  Examine the site of the proposed work, the Bid Proposal, Plans, specifications, contract forms, and bulletins and addendums posted to the Department's website and the Bid Express Bidding Service Website before submitting the Bid Proposal. The Department considers the submission of a Bid Proposal prima facie evidence that the bidder has made such examination and is satisfied as to the conditions to be encountered in performing the work and as to the requirements of the Contract.
<b>SUBSECTION: REVISION:</b>	102.07.01 General. Replace the first sentence with the following:  Submit the Bid Proposal on forms furnished on the Bid Express Bidding Service website ( <a href="http://www.bidx.com">www.bidx.com</a> ).  Replace the first sentence of the third paragraph with the following:  Bid proposals submitted shall use an eligible Digital ID issued by Bid Express.

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<b>SUBSECTION: REVISION:</b>	<p>102.07.02 Computer Bidding. Replace the first paragraph with the following:</p> <p>Subsequent to registering for a specific project, use the Department's Expedite Bidding Program on the internet website of the Department of Highways, Division of Construction Procurement (<a href="http://transportation.ky.gov/contract/">http://transportation.ky.gov/contract/</a>). Download the bid file from the Bid Express Bidding Service Website to prepare a Bid Proposal for submission to the Department. Submit Bid Proposal electronically through Bid Express Bidding Service.</p> <p>Delete the second and third paragraph.</p>
<b>SUBSECTION: REVISION:</b>	<p>102.08 Irregular Bid Proposals. Delete the following from the first paragraph: 4) fails to submit a disk created from the Highway Bid Program.</p> <p>Replace the second paragraph with the following: The Department will consider Bid Proposals irregular and may reject them for the following reasons:</p> <ol style="list-style-type: none"><li>1) when there are unauthorized additions, conditional or alternate bids, or irregularities of any kind which may tend to make the Bid Proposal incomplete, indefinite, or ambiguous as to its meaning; or</li><li>2) when the bidder adds any provisions reserving the right to accept or reject an award, or to enter into a Contract pursuant to an award; or</li><li>3) any failure to comply with the provisions of Subsection 102.07; or</li><li>4) Bid Proposals in which the Department determines that the prices are unbalanced; or when the sum of the total amount of the Bid Proposal under consideration exceeds the bidder's Current Capacity Rating.</li></ol>
<b>SUBSECTION: REVISION:</b>	<p>102.09 Bid Proposal Guaranty. Insert the following after the first sentence:</p> <p>Bid Proposals must have a bid proposal guaranty in the amount indicated in the bid proposal form accompany the submittal. A guaranty in the form of a paper bid bond, cashier's check, or certified check in an amount no less than the amount indicated on the submitted electronic bid is required when the electronic bid bond was not utilized with the Bid Express Bidding Service. Paper bid bonds must be delivered to the Division of Construction Procurement prior to the time of the letting.</p>
<b>SUBSECTION: REVISION:</b>	<p>102.10 Delivery of Bid Proposals. Replace paragraph with the following:</p> <p>Submit all Bid Proposals prior to the time specified in the Notice to Contractors. All bids shall be submitted electronically using Bid Express Bidding Services. Electronically submitted bids must be done in accordance with the requirements of the Bid Express Bidding Service.</p>
<b>SUBSECTION: REVISION:</b>	<p>102.11 Withdrawal or Revision of Bid Proposals. Replace the paragraph with the following:</p> <p>Bid Proposals can be withdrawn in accordance the requirements of the Bid Express Bidding Service prior to the time of the Letting.</p>

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<b>SUBSECTION: REVISION:</b>	<p>102.13 Public Opening of Bid Proposals. Replace Heading with the following: 102.13 Public Announcement of Bid Proposals.</p> <p>Replace the paragraph with the following: The Department will publicly announce all Bid Proposals at the time indicated in the Notice to Contractors.</p>
<b>SUBSECTION: REVISION:</b>	<p>103.02 Award of Contract. Replace the first sentence of the third paragraph with the following:</p> <p>The Department will normally award the Contract within 10 working days after the date of receiving Bid Proposals unless the Department deems it best to hold the Bid Proposals of any or all bidders for a period not to exceed 60 calendar days for final disposition of award.</p>
<b>SUBSECTION: REVISION:</b>	<p>105.02 Plans and Working Drawings. Insert the following after the fourth paragraph:</p> <p>Submit electrical shop drawings, design data, and descriptive literature for materials in electronic format to the Division of Traffic Operations for approval. Drawings and literature shall be submitted for lighting and signal components. Notify the Engineer when submitting information to the Division of Traffic Operations. Do not begin work until shop drawings are approved.</p> <p>Submit shop drawings for traffic counting equipment and materials in electronic format to the Engineer or the Division of Planning. Notify the Engineer when submitting information directly to the Division of Planning. Do not begin work until shop drawings are reviewed and approved.</p>
<b>SUBSECTION: REVISION:</b>	<p>105.03 Record Plans. Replace the section with the following:</p> <p>Record Plans are those reproductions of the original Plans on which the accepted Bid Proposal was based and, and signed by a duly authorized representative of the Department. The Department will make these plans available for inspection in the Central Office at least 24 hours prior to the time of opening bids and up to the time of letting of a project or projects. The quantities appearing on the Record Plans are the same as those on which Bid Proposals are received. The Department will use these Record Plans as the controlling plans in the prosecution of the Contract. The Department will not make any changes on Record Plans subsequent to their issue unless done so by an approved contract modification. The Department will make 2 sets of Record Plans for each project, and will maintain one on file in the Central Office and one on file in the District Office. The Department will furnish the Contractor with the following: 1 full size, 2 half size and an electronic file copy of the Record Plans at the Pre-Construction conference.</p>

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<b>SUBSECTION: REVISION:</b>	<p>105.12 Final Inspection and Acceptance of Work.</p> <p>Insert the following paragraphs after the first paragraph:</p> <p>Notify the Engineer when all electrical items are complete. A notice of the electrical work completion shall be made in writing to the Contractor. Electrical items will be inspected when the electrical work is complete and are not subject to waiting until the project as a whole has been completed. The Engineer will notify the Division of Traffic Operations within 3 days that all electrical items are complete and ready for a final inspection. A final inspection will be completed within 90 days after the Engineer notifies the Division of Traffic Operations of the electrical work completion.</p> <p>Energize all electrical items prior to notifying the Engineer that all electrical items are complete. Electrical items must remain operational until the Division of Traffic Operations has inspected and accepted the electrical portion of the project. Payment for the electrical service is the responsibility of the Contractor from the time the electrical items are energized until the Division of Traffic Operations has accepted the work.</p> <p>Complete all corrective work within 90 calendar days of receiving the original electrical inspection report. Notify the Engineer when all corrective work is complete. The Engineer will notify the Division of Traffic Operations that the corrective work has been completed and the project is ready for a follow-up inspection. Upon re-inspection, if additional corrective work is required, complete within the same 90 calendar day allowance. The Department will not include time between completion of the corrective work and the follow up electrical inspection(s). The 90 calendar day allowance is cumulative regardless of the number of follow-up electrical inspections required.</p> <p>The Department will assume responsibility for the electrical service on a project once the Division of Traffic Operations gives final acceptance of the electrical items on the project. The Department will also assume routine maintenance of those items. Any damage done to accepted electrical work items by other Contractors shall be the responsibility of the Prime Contractor. The Department will not be responsible for repairing damage done by other contractors during the construction of the remaining project.</p> <p>Failure to complete the electrical corrective work within the 90 calendar day allowance will result in penalties assessed to the project. Penalties will be assessed at ½ the rate of liquidated damages established for the contract.</p> <p>Replace the following in the second sentence of the second paragraph:</p> <p>Replace Section 213 with Section 212.</p> <p>Delete the fifth paragraph from the section.</p>
<b>SUBSECTION: REVISION:</b>	<p>105.13 Claim Resolution Process.</p> <p>Replace the last sentence of the 3. Bullet with the following:</p> <p>If the Contractor did not submit an as-bid schedule at the Pre-Construction Meeting or a written narrative in accordance with Subsection 108.02, the Cabinet will not consider the claim for delay.</p> <p>Delete the last paragraph from the section.</p>

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<b>SUBSECTION: REVISION:</b>	<p>106.04 Buy America Requirement. Replace the section with the following:</p> <p><b>106.04 Buy America Requirement.</b> Follow the “Buy America” provisions as required by Title 23 Code of Federal Regulations § 635.410. Except as expressly provided herein all manufacturing processes of steel or iron materials including but not limited to structural steel, guardrail materials, corrugated steel, culvert pipe, structural plate, prestressing strands, and steel reinforcing bars shall occur in the United States of America, including the application of:</p> <ul style="list-style-type: none"><li>• Coating,</li><li>• Galvanizing,</li><li>• Painting, and</li><li>• Other coating that protects or enhances the value of steel or iron products.</li></ul> <p>The following are exempt, unless processed or refined to include substantial amounts of steel or iron material, and may be used regardless of source in the domestic manufacturing process for steel or iron material:</p> <ul style="list-style-type: none"><li>• Pig iron,</li><li>• Processed, pelletized, and reduced iron ore material, or</li><li>• Processed alloys.</li></ul> <p>The Contractor shall submit a certification stating that all manufacturing processes involved with the production of steel or iron materials occurred in the United States.</p> <p>Produce, mill, fabricate, and manufacture in the United States of America all aluminum components of bridges, tunnels, and large sign support systems, for which either shop fabrication, shop inspection, or certified mill test reports are required as the basis of acceptance by the Department.</p> <p>Use foreign materials only under the following conditions:</p> <ol style="list-style-type: none"><li>1) When the materials are not permanently incorporated into the project; or</li><li>2) When the delivered cost of such materials used does not exceed 0.1 percent of the total Contract amount or \$2,500.00, whichever is greater.</li></ol> <p>The Contractor shall submit to the Engineer the origin and value of any foreign material used.</p>
<b>SUBSECTION: REVISION:</b>	<p>106.10 Field Welder Certification Requirements. Insert the following sentence before the first sentence of the first paragraph:</p> <p>All field welding must be performed by a certified welder unless otherwise noted.</p>
<b>SUBSECTION: REVISION:</b>	<p>108.02 Progress Schedule. Insert the following prior to the first paragraph:</p> <p>Specification 108.02 applies to all Cabinet projects except the following project types:</p> <ul style="list-style-type: none"><li>• Right of Way Mowing and/or Litter Removal</li><li>• Waterborne Paint Striping</li><li>• Projects that contain Special Provision 82</li><li>• Projects that contain the Special Note for CPM Scheduling</li></ul> <p>Insert the following paragraph after paragraph two:</p> <p>Working without the submittal of a Written Narrative is violation of this specification and additionally voids the Contractor’s right to delay claims.</p> <p>Insert the following paragraph after paragraph six:</p> <p>The submittal of bar chart or Critical Path Method schedule does not relieve the Contractor’s requirement to submit a Written Narrative schedule.</p>

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	<p>Insert the following at the beginning of the first paragraph of A) Written Narrative.:</p> <p>Submit the Written Narrative Schedule using form TC 63-50 available at the Division of Construction's website (<a href="http://www.transportation.ky.gov/construction/ResCenter/ResCenter.htm">http://www.transportation.ky.gov/construction/ResCenter/ResCenter.htm</a>).</p> <p>Replace Part A) Written Narrative 1. And 2. with the following:</p> <ol style="list-style-type: none"> <li>1. Provide a description that includes how the Contractor will sequence and stage the work, how the Contractor plans to maintain and control traffic being specific and detailed, and what equipment and crew sizes are planned to execute the work.</li> <li>2. Provide a list of project milestones including, if applicable, winter shut-downs, holidays, or special events. The Contractor shall describe how these milestones and other dates effect the prosecution of the work. Also, include start date and completion date milestones for the contract, each project if the contract entails multiple projects, each phase of work, site of work, or segment of work as divided in the project plans, proposal, or as subdivided by the Contractor.</li> </ol>
<b>SUBSECTION: REVISION:</b>	<p>109.07.01 Liquid Asphalt.</p> <p>Add the following to the Adjustable Contract Items:</p> <ul style="list-style-type: none"> <li>• Stone Matrix Asphalt for Base</li> <li>• Stone Matrix Asphalt for Surface</li> </ul>
<b>SUBSECTION: REVISION:</b>	<p>110.01 Mobilization.</p> <p>Replace paragraph three with the following:</p> <p>Do not bid an amount for Mobilization that exceeds 5 percent of the sum of the total amounts bid for all items in the Bid Proposal, excluding Mobilization, Demobilization, and contingent amounts established for adjustments and incentives. The Department will automatically adjust any Bid Proposals that are in excess of this amount down to 5 percent to compare Bid Proposals and award the Contract. The Department will award a Contract for the actual amount bid when the amount bid for Mobilization is less than 5 percent, or the Department will award the Contract for the adjusted bid amount of 5 percent when the amount bid for Mobilization is greater than 5 percent. If any errors in unit bid prices for other Contract items in a Contractor's Bid Proposal are discovered after bid opening and such errors reduce the total amount bid for all other items, excluding Mobilization, Demobilization, and contingent amounts established for adjustments and incentives, so that the percent bid for Mobilization is larger than 5 percent, the Department will adjust the amount bid for Mobilization to 5 percent of the sum of the corrected total bid amounts.</p>
<b>SUBSECTION: REVISION:</b>	<p>110.02 Demobilization.</p> <p>Replace the third paragraph with the following:</p> <p>Bid an amount for Demobilization that is a minimum of \$1,000 or 1.5 percent of the sum of the total amounts bid for all other items in the Bid Proposal, excluding Mobilization, Demobilization, and contingent amounts established for adjustments and incentives. The Department will automatically adjust any Bid Proposal that is less than this amount up to \$1,000 or 1.5 percent to compare Bid Proposals and award the Contract. The Department will award a Contract for the actual amount bid when the amount bid for demobilization exceeds 1.5 percent, or the Department will award the Contract for the adjusted bid amount when the amount bid for demobilization is less than the minimum of \$1,000 or less than 1.5 percent of the sum of the total amounts bid for all other items in the Bid Proposal, excluding Mobilization, Demobilization, and contingent amounts established for adjustments and incentives.</p>
<b>SUBSECTION: REVISION:</b>	<p>110.04 Payment.</p> <p>Insert the following paragraph following the demobilization payment schedule (4<sup>th</sup> paragraph):</p> <p>The Department will withhold an amount equal to \$1,000 for demobilization, regardless of the schedule listed above. The \$1,000 withheld for demobilization will be paid when the final estimate is paid.</p>



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<b>SUBSECTION: REVISION:</b>	<p>112.03.01 General Traffic Control. Replace paragraph three with the following:</p> <p>All flaggers shall be trained in current MUTCD flagging procedures. Proof of training must be available for review at the Department's request. Flagging credentials must be current within the last 5 years.</p>
<b>SUBSECTION: PART: REVISION:</b>	<p>112.03.11 Temporary Pavement Markings. B) Placement and Removal of Temporary Striping. Replace the 2<sup>nd</sup> sentence of the first paragraph with the following:</p> <p>On interstates and parkways, and other roadways approved by the State Highway Engineer, install pavement striping that is 6 inches in width.</p>
<b>SUBSECTION: REVISION:</b>	<p>112.03.12 Project Traffic Coordinator (PTC). Add the following at the end of the subsection:</p> <p>After October 1, 2008 the Department will require the PTC to have successfully completed the applicable qualification courses. Personnel that have not successfully completed the applicable courses by that date will not be considered qualified. Prior to October 1, 2008, conform to Subsection 108.06 A) and ensure the designated PTC has sufficient skill and experience to properly perform the task.</p>
<b>SUBSECTION: REVISION:</b>	<p>112.03.15 Non-Compliance of Maintain and Control of Traffic. Add the following section:</p> <p><b>112.03.15 Non-Compliance of Maintain and Control of Traffic.</b> It is the Contractor's responsibility to conform to the traffic control requirements in the TCP, Proposal, plan sheets, specifications, and the Manual on Uniform Traffic Control Devices.</p> <p>Unless specified elsewhere in the contract, a penalty will be assessed in the event of non-compliance with Maintain and Control of Traffic requirements. These penalties will be assessed when the Contractor fails to correct a situation or condition of non-compliance with the contract traffic control requirements after being notified by the Engineer. The calculation of accrued penalties for non-compliance will be based upon the date/time of notification by the Engineer.</p> <p>The amount of the penalty assessed for non-compliance will be determined based upon the work zone duration, as defined by the MUTCD, and will be the greatest of the different calculation methods indicated below:</p> <p style="padding-left: 40px;">A) Long-term stationary work that occupies a location more than 3 days.</p> <p style="padding-left: 40px;">Correct the non-compliant issue within 24 hours from initial notification by the Engineer. If the issue is not corrected within 24 hours from the initial notification, a penalty for non-compliance will be assessed on a daily basis beginning from the initial notification of non-compliance. The Contractor will be assessed a \$1,000 daily penalty or the amount equal to the contract liquidated damages in Section 108.09, whichever of the 2 is greater. The penalty for non-compliance will escalate as follows for continued non-compliance after the initial notification.</p> <p style="padding-left: 40px;">3 Days after Notification \$1,500 daily penalty or 1.5 times the contract liquidated damages daily charge rate in Section 108.09, whichever is greater.</p> <p style="padding-left: 40px;">7 Days after Notification \$2,000 daily penalty or double the contract liquidated damages daily charge rate in Section 108.09, whichever is greater.</p>

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	<p>B) Intermediate-term stationary work that occupies a location more than one daylight period up to 3 days, or nighttime work lasting more than 1 hour.</p> <p>Correct the non-compliant issue within 4 hours from initial notification by the Engineer. If the issue is not corrected within 4 hours from notification, a penalty for non-compliance will be assessed on an hourly basis beginning from the initial notification of non-compliance. The penalty for non-compliance will be assessed at \$200 per hour.</p> <p>C) Short-term stationary is work that occupies a location for more than 1 hour within a single 24-hour period.</p> <p>Correct the non-compliant issue within 1 hour from initial notification by the Engineer. If the issue is not corrected within 1 hour from notification, a penalty for non-compliance will be assessed on an hourly basis beginning from the initial notification of non-compliance. The penalty for non-compliance will be assessed at \$200 per hour.</p> <p>If the Contractor remains in violation of the Maintain and Control of Traffic requirements, or if the Department determines it to be in the public’s interest, work will be suspended in accordance with Section 108.08 until the deficiencies are corrected. The Department reserves the right to correct deficiencies by any means available and charge the Contractor for labor, equipment, and material costs incurred in emergency situations.</p>
<b>SUBSECTION: REVISION:</b>	<p>206.03.02 Embankment</p> <p>Replace the last paragraph with the following:</p> <p>When rock roadbed is specified, construct the upper 2 feet of the embankment according to Subsection 204.03.09 A).</p>
<b>SUBSECTION: REVISION:</b>	<p>213.03.03 Inspection and Maintenance.</p> <p>Replace the last sentence of the second paragraph with the following:</p> <p>Initiate corrective action within 24 hours of any noted deficiency and complete the work within 7 calendar days of receipt of the report. The Contractor shall make a concentrated effort to complete any corrective action required prior to the next predicted rainfall event.</p> <p>Insert the following paragraph after the second paragraph:</p> <p>When the Contractor is required to obtain the KPDES permit, it is their responsibility to ensure compliance with the inspection and maintenance requirements of the permit. The Engineer will perform verification inspections a minimum of once per month and within 7 days of a ½ inch or greater rainfall event. The Engineer will document these inspections using Form TC 63-61 A. The Engineer will provide copies of the inspection only when improvements to the BMP’s are required. Verification inspections performed by the Engineer do not relieve the Contractor of any responsibility for compliance with the KPDES permit. Initiate corrective action within 24 hours of any noted deficiency and complete the work within 7calendar days of receipt of the report. The Contractor shall make a concentrated effort to complete any corrective action required prior to the next predicted rainfall event.</p>

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<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	213.03.05 Temporary Control Measures. E) Temporary Seeding and Protection. Replace the first paragraph with the following:  Apply an Annual Rye seed mix at a rate of 100 pounds per acre during the months of March through August. In addition to the Annual Rye, add 10 pounds of German Foxtail-Millet ( <i>Setaria italica</i> ), when performing temporary seeding during the months of June through August. During the months of September through February, apply Winter Wheat or Rye Grain at a rate of 100 pounds per acre. Obtain the Engineer's approval prior to the application of the seed mixture.
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	213.03.05 Temporary Control Measures. F) Temporary Mulch. Replace the last sentence with the following:  Place temporary mulch to an approximate 2-inch loose depth (2 tons per acre) and anchor it into the soil by mechanically crimping it into the soil surface or applying tackifier to provide a protective cover. Regardless of the anchoring method used, ensure the protective cover holds until disturbance is required or permanent controls are installed.
<b>SUBSECTION:</b> <b>REVISION:</b>	303.05 Payment. Replace the second paragraph of the section with the following:  The Department will make payment for Drainage Blanket-Type II (ATDB) according to the Lot Pay Adjustment Schedule for Specialty Mixtures in Section 402.
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	401.02.04 Special Requirements for Dryer Drum Plants. F) Production Quality Control. Replace the first sentence with the following:  Stop mixing operations immediately if, at any time, a failure of the automatic electronic weighing system of the aggregate feed, asphalt binder feed, or water injection system control occurs.
<b>SUBSECTION:</b> <b>REVISION:</b>	401.02.04 Special Requirements for Dryer Drum Plants. Add the following:  Part G) <b>Water Injection System.</b> Provided each system has prior approval as specified in Subsection 402.01.01, the Department will allow the use of water injection systems for purposes of foaming the asphalt binder and lowering the mixture temperature for production of Warm Mix Asphalt (WMA). Ensure the equipment for water injection meets the following requirements: <ol style="list-style-type: none"><li>1) Injection equipment computer controls are automatically coupled to the plants controls (manual operation is not permitted);</li><li>2) Injection equipment has variable controls that introduce water ratios based on production rates of mixtures;</li><li>3) Injects water into the flow of asphalt binder prior to contacting the aggregate;</li><li>4) Provides alarms on the water injection system that operate when the flow of water is interrupted or deviates from the prescribed water rate.</li></ol>
<b>SUBSECTION:</b> <b>REVISION:</b>	401.03.01 Preparation of Mixtures. Replace the last sentence of the second paragraph with the following:  Do not use asphalt binder while it is foaming in a storage tank.

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<b>SUBSECTION:</b> <b>REVISION:</b>	401.03.01 Preparation of Mixtures. Replace the third paragraph and Mixing and Laying Temperature table with the following:  Maintain the temperature of the component materials and asphalt mixture within the ranges listed in the following table: <table><tr><th colspan="4">MIXING AND LAYING TEMPERATURES (°F)</th></tr><tr><th colspan="2">Material</th><th>Minimum</th><th>Maximum</th></tr><tr><td colspan="2">Aggregates</td><td>240</td><td>330</td></tr><tr><td colspan="2">Aggregates used with Recycled Asphalt Pavement (RAP)</td><td>240</td><td>—</td></tr><tr><td rowspan="2">Asphalt Binders</td><td>PG 64-22</td><td>230</td><td>330</td></tr><tr><td>PG 76-22</td><td>285</td><td>350</td></tr><tr><td rowspan="4">Asphalt Mixtures at Plant (Measured in Truck)</td><td>PG 64-22 HMA</td><td>250</td><td>330</td></tr><tr><td>PG 76-22 HMA</td><td>310</td><td>350</td></tr><tr><td>PG 64-22 WMA</td><td>230</td><td>275</td></tr><tr><td>PG 76-22 WMA</td><td>250</td><td>300</td></tr><tr><td rowspan="4">Asphalt Mixtures at Project (Measured in Truck When Discharging)</td><td>PG 64-22 HMA</td><td>230</td><td>330</td></tr><tr><td>PG 76-22 HMA</td><td>300</td><td>350</td></tr><tr><td>PG 64-22 WMA</td><td>210</td><td>275</td></tr><tr><td>PG 76-22 WMA</td><td>240</td><td>300</td></tr></table>	MIXING AND LAYING TEMPERATURES (°F)				Material		Minimum	Maximum	Aggregates		240	330	Aggregates used with Recycled Asphalt Pavement (RAP)		240	—	Asphalt Binders	PG 64-22	230	330	PG 76-22	285	350	Asphalt Mixtures at Plant (Measured in Truck)	PG 64-22 HMA	250	330	PG 76-22 HMA	310	350	PG 64-22 WMA	230	275	PG 76-22 WMA	250	300	Asphalt Mixtures at Project (Measured in Truck When Discharging)	PG 64-22 HMA	230	330	PG 76-22 HMA	300	350	PG 64-22 WMA	210	275	PG 76-22 WMA	240	300
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<b>SUBSECTION:</b> <b>REVISION:</b>	402.01 Description. Replace the paragraph with the following:  Provide the process control and acceptance testing of all classes and types of asphalt mixtures which may be furnished either as hot mix asphalt (HMA) or warm mix asphalt (WMA) produced with water injection systems.																																																	
<b>SUBSECTION:</b> <b>REVISION:</b>	402.01.01 Warm Mix Asphalt (WMA) Evaluation and Approval. Add the following subsection:  402.01.01 Warm Mix Asphalt (WMA) Evaluation and Approval. The Department will evaluate trial production of WMA by use of a water injection system provided the system is installed according to the manufacturer’s requirements and satisfies the requirements of Section 401. Evaluation will include production and placement of WMA to demonstrate adequate mixture quality including volumetric properties and density by Option A as specified in Subsection 402.03.02 D). Do not place WMA for evaluation on Department projects. Provided production and placement operations satisfy the applicable quality levels, the Department will approve WMA production on Department projects using the water injection system as installed on the specific asphalt mixing plant evaluated.																																																	
<b>SUBSECTION:</b> <b>REVISION:</b>	402.05.02 Asphalt Mixtures and Mixtures With RAP. Replace Subsection Title as below:  402.05.02 Asphalt Mixtures, HMA and WMA, Including Mixtures With RAP.																																																	
<b>SUBSECTION:</b> <b>REVISION:</b>	402.05.02 Asphalt Mixtures, HMA and WMA, Including Mixtures With RAP. Replace the paragraph with the following:  The Department will pay for the mixture at the Contract unit bid price and apply a Lot Pay Adjustment for each lot placed based on the degree of compliance with the specified tolerances. Using the appropriate Lot Pay Adjustment Schedule, the Department will assign a pay value for the applicable properties within each subplot and average the subplot pay values to determine the pay value for a given property for each lot. The Department will apply the Lot Pay Adjustment for each lot to a defined unit price of \$50.00 per ton. The Department will calculate the Lot Pay Adjustment using all possible incentives and disincentives but will not allow the overall pay value for a lot to exceed 1.00.																																																	

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<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	402.05.02 Asphalt Mixtures, HMA and WMA, Including Mixtures With RAP. C) Conventional and RAP Mixtures Placed on Shoulders. Replace Title and Text with the following:  C) HMA, WMA and RAP Mixtures Placed on Shoulders or Placed as Asphalt Pavement Wedge.  1) Placed monolithically with the Mainline – Width of 4 feet or less. The Department will pay as mainline mixture. 2) Placed monolithically with the Mainline – Width of greater than 4 feet. The Department will pay as mainline mixture but use 1.00 for the Lane and Joint Density Pay Value for shoulder or Asphalt Pavement Wedge quantities. 3) Placed Separately. The Department will use 1.00 for the Lane and Joint Density Pay Value.												
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	402.05.02 Asphalt Mixtures, HMA and WMA, Including Mixtures With RAP. D) Conventional and RAP Mixtures Placed Monolithically as Asphalt Pavement Wedge. Replace the title with the following: D) HMA, WMA, and RAP Mixtures Placed Monolithically as Asphalt Pavement Wedge.  Delete the following: D) HMA, WMA, and RAP Mixtures Placed Monolithically as Asphalt Pavement Wedge. The Department will pay as mainline mixture but use a 1.00 pay value for all properties.												
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	402.05.02 Asphalt Mixtures for Temporary Pavement. E) Asphalt Mixtures for Temporary Pavement. Replace E) Asphalt Mixtures for Temporary Pavement with the following:  D) Asphalt Mixtures for Temporary Pavement.												
<b>SUBSECTION:</b> <b>PART:</b> <b>TABLES:</b> <b>REVISION:</b>	402.05.02 Asphalt Mixtures, HMA and WMA, Including Mixtures With RAP. Lot Pay Adjustment Schedule, Compaction Option A, Base and Binder Mixtures VMA Replace the VMA table with the following: <table><tr><th colspan="2">VMA</th></tr><tr><th>Pay Value</th><th>Deviation From Minimum</th></tr><tr><td>1.00</td><td>≥ min. VMA</td></tr><tr><td>0.95</td><td>0.1-0.5 below min.</td></tr><tr><td>0.90</td><td>0.6-1 0 below min.</td></tr><tr><td>(1)</td><td>&gt; 1.0 below min.</td></tr></table>	VMA		Pay Value	Deviation From Minimum	1.00	≥ min. VMA	0.95	0.1-0.5 below min.	0.90	0.6-1 0 below min.	(1)	> 1.0 below min.
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<b>SUBSECTION:</b> <b>PART:</b> <b>TABLES:</b> <b>REVISION:</b>	402.05.02 Asphalt Mixtures, HMA and WMA, Including Mixtures With RAP. Lot Pay Adjustment Schedule, Compaction Option A, Surface Mixtures VMA Replace the VMA table with the following: <table><tr><th colspan="2">VMA</th></tr><tr><th>Pay Value</th><th>Deviation From Minimum</th></tr><tr><td>1.00</td><td>≥ min. VMA</td></tr><tr><td>0.95</td><td>0.1-0.5 below min.</td></tr><tr><td>0.90</td><td>0.6-1.0 below min.</td></tr><tr><td>(1)</td><td>&gt; 1.0 below min.</td></tr></table>	VMA		Pay Value	Deviation From Minimum	1.00	≥ min. VMA	0.95	0.1-0.5 below min.	0.90	0.6-1.0 below min.	(1)	> 1.0 below min.
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<b>SUBSECTION:</b> <b>PART:</b> <b>TABLE:</b> <b>REVISION:</b>	402.05.02 Asphalt Mixtures, HMA and WMA, Including Mixtures With RAP. Lot Pay Adjustment Schedule, Compaction Option B Mixtures VMA Replace the VMA table with the following:																									
	<table><tr><th colspan="2">VMA</th></tr><tr><th>Pay Value</th><th>Deviation From Minimum</th></tr><tr><td>1.00</td><td>≥min. VMA</td></tr><tr><td>0.95</td><td>0 1-0.5 bel w min.</td></tr><tr><td>0.9</td><td>0.6-1.0 below min.</td></tr><tr><td>(2)</td><td>&gt; 1.0 below min.</td></tr></table>	VMA		Pay Value	Deviation From Minimum	1.00	≥min. VMA	0.95	0 1-0.5 bel w min.	0.9	0.6-1.0 below min.	(2)	> 1.0 below min.													
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<b>SUBSECTION:</b> <b>PART:</b> <b>NUMBER:</b> <b>REVISION:</b>	403.03.03 Preparation of Mixture. C) Mix Design Criteria. 1) Preliminary Mix Design. Replace the last two sentences of the paragraph and table with the following:  Complete the volumetric mix design at the appropriate number of gyrations as given in the table below for the number of 20-year ESAL's. The Department will define the relationship between ESAL classes, as given in the bid items for Superpave mixtures, and 20-year ESAL ranges as follows:																									
	<table><tr><th colspan="2"></th><th colspan="3">Number of Gyrations</th></tr><tr><th>Class</th><th>ESAL's (millions)</th><th>N<sub>initial</sub></th><th>N<sub>design</sub></th><th>N<sub>max</sub></th></tr><tr><td>2</td><td>&lt; 3.0</td><td>6</td><td>50</td><td>75</td></tr><tr><td>3</td><td>3.0 to &lt; 30.0</td><td>7</td><td>75</td><td>115</td></tr><tr><td>4</td><td>≥ 30.0</td><td>8</td><td>100</td><td>160</td></tr></table>			Number of Gyrations			Class	ESAL's (millions)	N <sub>initial</sub>	N <sub>design</sub>	N <sub>max</sub>	2	< 3.0	6	50	75	3	3.0 to < 30.0	7	75	115	4	≥ 30.0	8	100	160
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<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	403.03.09 Leveling and Wedging, and Scratch Course. A) Leveling and Wedging. Replace the first sentence of the first paragraph with the following:  Conform to the gradation requirements (control points) of AASHTO M 323 for base, binder, or surface as the Engineer directs.																									
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	403.03.09 Leveling and Wedging, and Scratch Course. B) Scratch Course. Replace the second sentence of the first paragraph with the following:  Conform to the gradation requirements (control points) of AASHTO M 323 for base, binder, or surface as the Engineer directs.																									
<b>SUBSECTION:</b> <b>REVISION:</b>	407.01 DESCRIPTION. Replace the first sentence of the paragraph with the following:  Construct a pavement wedge composed of a hot-mixed or warm-mixed asphalt mixture.																									
<b>SUBSECTION:</b> <b>REVISION:</b>	409.01 DESCRIPTION. Replace the first sentence of the paragraph with the following:  Use reclaimed asphalt pavement (RAP) from Department projects or other approved sources in hot mix asphalt (HMA) or warm mix asphalt (WMA) provided mixture requirements are satisfied.																									
<b>SUBSECTION:</b> <b>REVISION:</b>	410.01 DESCRIPTION. Delete the second sentence of the paragraph.																									

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<b>SUBSECTION:</b> <b>REVISION:</b>	410.03.01 Corrective Work. Replace the last sentence of the paragraph with the following:  Provide a final surface comparable to the adjacent pavement that does not require corrective work in respect to texture, appearance, and skid resistance.														
<b>SUBSECTION:</b> <b>PART:</b> <b>NUMBER:</b> <b>REVISION:</b>	410.03.02 Ride Quality. B) Requirements. 1) Category A. Replace the last sentence of the first paragraph with the following:  At the Department’s discretion, a pay deduction of \$1200 per 0.1-lane-mile section may be applied in lieu of corrective work.														
<b>SUBSECTION:</b> <b>PART:</b> <b>NUMBER:</b> <b>REVISION:</b>	410.03.02 Ride Quality. B) Requirements. 2) Category B. Replace the second and third sentence of the first paragraph with the following:  When the IRI is greater than 90 for a 0.1-mile section, perform corrective work, or remove and replace the pavement to achieve the specified IRI. At the Department’s discretion, a pay deduction of \$750 per 0.1-lane-mile section may be applied in lieu of corrective work.														
<b>SUBSECTION:</b> <b>REVISION:</b>	410.05 PAYMENT. Add the following sentence to the end of the first paragraph:  The sum of the pay value adjustments for ride quality shall not exceed \$0 for the project as a whole.														
<b>SUBSECTION:</b> <b>REVISION:</b>	413.05.02 CL3 SMA BASE 1.00D PG76-22. Insert the following sentence between the first and second sentence of the first paragraph:  The Department will calculate the Lot Pay Adjustment using all possible incentives and disincentives but will not allow the overall pay value for a lot to exceed 1.00.														
<b>SUBSECTION:</b> <b>TABLE:</b> <b>REVISION:</b>	413.05.02 CL3 SMA BASE 1.00D PG 76-22. JOINT DENSITY TABLE Replace the joint density table with the following: <table><tr><th colspan="2">LANE DENSITY</th></tr><tr><th>Pay Value</th><th>Test Result (%)</th></tr><tr><td>1.05</td><td>95.0-96.5</td></tr><tr><td>1.00</td><td>93.0-94.9</td></tr><tr><td>0.95</td><td>92.0-92.9 or 96.6-97.0</td></tr><tr><td>0.90</td><td>91.0-91.9 or 97.1-97.5</td></tr><tr><td>(1)</td><td>&lt; 91.0 or &gt; 97.5</td></tr></table>	LANE DENSITY		Pay Value	Test Result (%)	1.05	95.0-96.5	1.00	93.0-94.9	0.95	92.0-92.9 or 96.6-97.0	0.90	91.0-91.9 or 97.1-97.5	(1)	< 91.0 or > 97.5
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<b>SUBSECTION:</b> <b>REVISION:</b>	413.05.03 CL3 SMA SURF 0.50A PG76-22 and CL3 SMA SURF 0.38A PG76-22. Insert the following sentence between the first and second sentence of the first paragraph:  The Department will calculate the Lot Pay Adjustment using all possible incentives and disincentives but will not allow the overall pay value for a lot to exceed 1.00.														



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<b>SUBSECTION:</b> <b>TABLE:</b> <b>REVISION:</b>	413.05.03 CL3 SMA SURF 0.50A PG76-22 and CL3 SMA SURF 0.38A PG76-22. JOINT DENSITY TABLE Replace the joint density table with the following: <table><tr><th colspan="3">DENSITY</th></tr><tr><th>Pay Value</th><th>Lane Density Test Result (%)</th><th>Joint Density Test Result (%)</th></tr><tr><td>1.05</td><td>95.0-96.5</td><td>92.0-96.0</td></tr><tr><td>1.00</td><td>93.0-94.9</td><td>90.0-91.9</td></tr><tr><td>0.95</td><td>92.0-92.9 or 96.6-97.0</td><td>89.0-89.9 or 96.1-96.5</td></tr><tr><td>0.90</td><td>91.0-91.9 or 97.1-97.5</td><td>88.0-88.9 or 96.6-97.0</td></tr><tr><td>0.75</td><td>----</td><td>&lt; 88.0 or &gt; 97.0</td></tr><tr><td>(1)</td><td>&lt; 91.0 or &gt; 97.5</td><td>----</td></tr></table>	DENSITY			Pay Value	Lane Density Test Result (%)	Joint Density Test Result (%)	1.05	95.0-96.5	92.0-96.0	1.00	93.0-94.9	90.0-91.9	0.95	92.0-92.9 or 96.6-97.0	89.0-89.9 or 96.1-96.5	0.90	91.0-91.9 or 97.1-97.5	88.0-88.9 or 96.6-97.0	0.75	----	< 88.0 or > 97.0	(1)	< 91.0 or > 97.5	----
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0.95	92.0-92.9 or 96.6-97.0	89.0-89.9 or 96.1-96.5																							
0.90	91.0-91.9 or 97.1-97.5	88.0-88.9 or 96.6-97.0																							
0.75	----	< 88.0 or > 97.0																							
(1)	< 91.0 or > 97.5	----																							
<b>SUBSECTION:</b> <b>REVISION:</b>	501.05.02 Ride Quality. Add the following sentence to the end of the first paragraph:  The sum of the pay value adjustments for the ride quality shall not exceed \$0 for the project as a whole.																								
<b>SUBSECTION:</b> <b>REVISION:</b>	505.03.04 Detectable Warnings. Replace the first sentence with the following:  Install detectable warning pavers at all sidewalk ramps and on all commercial entrances according to the Standard Drawings.																								
<b>SUBSECTION:</b> <b>REVISION:</b>	505.04.04 Detectable Warnings. Replace the paragraph with the following:  The Department will measure the quantity in square feet. All retrofit applications for maintenance projects will require the removal of existing sidewalks to meet the requirements of the standard drawings applicable to the project. The cost associated with the removal of the existing sidewalk will be incidental to the detectable warnings bid item or incidental to the bid item for the construction of the concrete sidewalk unless otherwise noted.																								
<b>SUBSECTION:</b> <b>REVISION:</b>	505.05 PAYMENT. Add the following to the bid item table: <table><tr><td><u>Code</u></td><td><u>Pay Item</u></td><td><u>Pay Unit</u></td></tr><tr><td>23158ES505</td><td>Detectable Warnings</td><td>Square Foot</td></tr></table>	<u>Code</u>	<u>Pay Item</u>	<u>Pay Unit</u>	23158ES505	Detectable Warnings	Square Foot																		
<u>Code</u>	<u>Pay Item</u>	<u>Pay Unit</u>																							
23158ES505	Detectable Warnings	Square Foot																							
<b>SUBSECTION:</b> <b>REVISION:</b>	509.01 DESCRIPTION. Replace the second paragraph with the following:  The Department may allow the use of similar units that conform to the National Cooperative Highway Research Program (NCHRP) 350 Test Level 3 (TL-3) requirements and the typical features depicted by the Standard Drawings. Obtain the Engineers approval prior to use. Ensure the barrier wall shape, length, material, drain slot dimensions and locations typical features are met and the reported maximum deflection is 3 feet or less from the NCHRP 350 TL-3 for Test 3 – 11 (pickup truck impacting at 60 mph at a 25-degree angle.)																								



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<b>SUBSECTION:</b> <b>REVISION:</b>	601.03.02 Concrete Producer Responsibilities. Replace the first sentence with the following:  Obtain the concrete from producers that are in compliance with KM 64-323 and on the Department’s List of Approved Materials.  Add the following to the first paragraph:  If a concrete plant becomes unqualified during a project and there are no other qualified plants in the region, the Department will provide qualified personnel to witness and ensure the producer follows the required specifications. The Department will assess the Contractor a \$100 per hour charge for this service.
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	601.03.02 Concrete Producer Responsibilities. B) Certified Personnel. Replace the second sentence with the following:  Ensure that the concrete technicians are certified as ACI Level I (Level I) and KRMCA Level II (Level II).
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	601.03.02 Concrete Producer Responsibilities. C) Quality Control. Replace the second sentence with the following:  Ensure that the Level II concrete technician is present when work is in progress and is responsible for inspecting trucks, batch weight calculations, monitoring batching, making mixture adjustments, reviewing the slump, air content, unit weight, temperature, and aggregate tests, all to provide conforming concrete to the project.
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	601.03.02 Concrete Producer Responsibilities. D) Producer Testing. Replace with the following:  When producing for state work, have a Qualified Concrete Aggregate Technician or KYTC Qualified Aggregate Technician perform, at a minimum, weekly gradations and minus 200 wash tests and daily moisture contents of coarse and fine aggregate (Fine aggregates will not require a minus 200 wash test). Using the daily moisture contents, adjust the approved mix design accordingly prior to production. Ensure that the Level II concrete technician is present when work is in progress and is responsible for inspecting trucks, batch weight calculations, monitoring batching, making mixture adjustments, reviewing the slump, air content, unit weight, temperature, and aggregate tests, all to provide conforming concrete to the project.
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	601.03.02 Concrete Producer Responsibilities. E) Trip Tickets. Replace the second sentence with the following:  Include on the trip ticket the Sample ID for the approved mix design and a statement certifying that the data on the ticket is correct and that the mixture conforms to the mix design.
<b>SUBSECTION:</b> <b>PART:</b> <b>NUMBER:</b> <b>REVISION:</b>	601.03.03 Proportioning and Requirements. C) Mixtures Using Type IP, IS, and I(SM) Cement or Mineral Admixtures 2) Mineral Admixtures. Replace the second sentence with the following:  Reduction of the total cement content by a combination of mineral admixtures will be allowed, up to a maximum of 40 percent.

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<b>SUBSECTION:</b> <b>PART:</b> <b>NUMBER:</b> <b>LETTER:</b> <b>REVISION:</b>	601.03.03 Proportioning and Requirements. C) Mixtures Using Type IP, IS, and I(SM) Cement or Mineral Admixtures 2) Mineral Admixtures. a) Fly Ash. Delete the last sentence of the third paragraph.
<b>SUBSECTION:</b> <b>PART:</b> <b>NUMBER:</b> <b>LETTER:</b> <b>REVISION:</b>	601.03.03 Proportioning and Requirements. C) Mixtures Using Type IP, IS, and I(SM) Cement or Mineral Admixtures 2) Mineral Admixtures. b) Ground Granulated Blast Furnace Slag (GGBF Slag). Delete the second sentence of the third paragraph.
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	601.03.03 Proportioning and Requirements. E) Measuring. Add the following sentence:  Conform to the individual ingredient material batching tolerances in Appendix A.
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	601.03.09 Placing Concrete. A) General. Replace the last sentence of the fourth paragraph with the following:  Do not use aluminum or aluminum alloy troughs, pipes, or chutes that have surface damage or for lengths greater than 20 feet.  Replace the second sentence of the fifth paragraph with the following:  When pumping, equip the delivery pipe with a nozzle, having a minimum of 2 right angles, at the discharge end. Alternate nozzles or restriction devices may be allowed with prior approval by the Engineer.
<b>SUBSECTION:</b> <b>REVISION:</b>	605.02.05 Forms. Delete the last sentence.
<b>SUBSECTION:</b> <b>REVISION:</b>	605.03.04 Tack Welding. Replace with the following:  The Department does not allow tack welding.
<b>SUBSECTION:</b> <b>REVISION:</b>	606.02.11 Coarse Aggregate. Replace with the following:  Conform to Section 805, size No. 8 or 9-M.
<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	609.03.04 Expansion and Fixed Joints. D) Preformed Neoprene Joint Seals. Replace the last sentence of paragraph seven with the following:  Field splices will not be allowed during partial width construction. It is Contractor's responsibility to determine and install the length of seal required for the joint to barrier wall as per the standard drawing.
<b>SUBSECTION:</b> <b>REVISION:</b>	609.03.09 Finish with Burlap Drag. Delete the entire section.
<b>SUBSECTION:</b> <b>REVISION:</b>	609.04.06 Joint Sealing. Replace Subsection 601.04 with the following:  Subsection 606.04.08.

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<b>SUBSECTION: REVISION:</b>	<p>609.05 Payment. Replace the Pay Unit for Joint Sealing with the following:</p> <p>See Subsection 606.05.</p>
<b>SUBSECTION: REVISION:</b>	<p>701.03.06 Initial Backfill. Replace the first sentence of the last paragraph with the following:</p> <p>When the Contract specifies, perform quality control testing to verify compaction according to KM 64-512.</p>
<b>SUBSECTION: REVISION:</b>	<p>701.03.08 Testing of Pipe. Replace and rename the subsection with the following:</p> <p><b>701.03.08 Inspection of Pipe.</b> The engineer will visually inspect all pipe. The Department will require camera/video inspection on a minimum of 50 percent of the linear feet of all installed pipe structures. Conduct camera/video inspection according to KM 64-114. The pipe to be installed under pavement will be selected first. If the total linear feet of pipe under pavement is less than 50 percent of the linear feet of all pipe installed, the Engineer will randomly select installations from the remaining pipe structures on the project to provide for the minimum inspection requirement. The pipe will be selected in complete runs (junction-junction or headwall-headwall) until the total linear feet of pipe to be inspected is at least 50 percent of the total linear feet of all installed pipe on the project.</p> <p>Unless the Engineer directs otherwise, schedule the inspections no sooner than 30 days after completing the installation and completion of earthwork to within 1 foot of the finished subgrade. When final surfacing conflicts with the 30-day minimum, conduct the inspections prior to placement of the final surface. The contractor must ensure that all pipe are free and clear of any debris so that a complete inspection is possible.</p> <p>Notify the Engineer immediately if distresses or locations of improper installation are discovered. When camera testing shows distresses or improper installation in the installed pipe, the Engineer may require additional sections to be tested. Provide the video and report to the Engineer when testing is complete in accordance with KM 64-114.</p> <p>Pipes that exhibit distress or signs of improper installation may necessitate repair or removal as the Engineer directs. These signs include, but are not limited to: deflection, cracking, joint separation, sagging or other interior damage. If corrugated metal or thermoplastic pipes exceed the deflection and installation thresholds indicated in the table below, provide the Department with an evaluation of each location conducted by a Professional Engineer addressing the severity of the deflection, structural integrity, environmental conditions, design service life, and an evaluation of the factor of safety using Section 12, "Buried Structures and Tunnel Liners," of the AASHTO LRFD Bridge Design Specifications. Based on the evaluation, the Department may allow the pipe to remain in place at a reduced unit price as shown in the table below. Provide 5 business days for the Department to review the evaluation. When the pipe shows deflection of 10 percent or greater, remove and replace the pipe. When the camera/video or laser inspection results are called into question, the Department may require direct measurements or mandrel testing.</p> <p>The Cabinet may elect to conduct Quality Assurance verifications of any pipe inspections.</p>
<b>SUBSECTION: REVISION:</b>	<p>701.04.07 Testing. Replace and rename the subsection with the following:</p> <p><b>701.04.07 Pipeline Video Inspection.</b> The Department will measure the quantity in linear feet along the pipe invert of the structure inspected. When inspection above the specified 50 percent is performed due to a disagreement or suspicion of additional distresses and the Department is found in error, the Department will measure the quantity as Extra Work according to Subsection 104.03. However, if additional distresses or non-conformance is found, the Department will not measure the additional inspection for payment.</p>

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<b>SUBSECTION:</b> <b>REVISION:</b>	701.05 PAYMENT Add the following pay item to the list of pay items: <table><tr><td>Code</td><td>Pay Item</td><td>Pay Unit</td></tr><tr><td>23131ER701</td><td>Pipeline Video Inspection</td><td>Linear Foot</td></tr></table>	Code	Pay Item	Pay Unit	23131ER701	Pipeline Video Inspection	Linear Foot						
Code	Pay Item	Pay Unit											
23131ER701	Pipeline Video Inspection	Linear Foot											
<b>SUBSECTION:</b> <b>TABLE:</b> <b>REVISION:</b>	701.05 PAYMENT PIPE DEFLECTION DETERMINED BY CAMERA TESTING Replace this table with the following table and note: <table><tr><th colspan="2">PIPE DEFLECTION</th></tr><tr><th>Amount of Deflection (%)</th><th>Payment</th></tr><tr><td>0.0 to 5.0</td><td>100% of the Unit Bid Price</td></tr><tr><td>5.1 to 9.9</td><td>50% of the Unit Bid Price <sup>(1)</sup></td></tr><tr><td>10 or greater</td><td>Remove and Replace</td></tr></table> <p>(1) Provide Structural Analysis as indicated above. Based on the structural analysis, pipe may be allowed to remain in place at the reduced unit price.</p>	PIPE DEFLECTION		Amount of Deflection (%)	Payment	0.0 to 5.0	100% of the Unit Bid Price	5.1 to 9.9	50% of the Unit Bid Price <sup>(1)</sup>	10 or greater	Remove and Replace		
PIPE DEFLECTION													
Amount of Deflection (%)	Payment												
0.0 to 5.0	100% of the Unit Bid Price												
5.1 to 9.9	50% of the Unit Bid Price <sup>(1)</sup>												
10 or greater	Remove and Replace												
<b>SUBSECTION:</b> <b>TABLE:</b> <b>REVISION:</b>	701.05 PAYMENT PIPE DEFLECTION DETERMINED BY MANDREL TESTING Delete this table.												
<b>SUBSECTION:</b> <b>REVISION:</b>	713.02.01 Paint. Replace with the following:  Conform to Section 842 and Section 846.												
<b>SUBSECTION:</b> <b>REVISION:</b>	713.03 CONSTRUCTION. Replace the first sentence of the second paragraph with the following:  On interstates and parkways, and other routes approved by the State Highway Engineer, install pavement striping that is 6 inches in width.												
<b>SUBSECTION:</b> <b>REVISION:</b>	713.03.03 Paint Application. Replace the second paragraph with the following table: <table><tr><th>Material</th><th>Paint Application Rate</th><th>Glass Beads Application Rate</th></tr><tr><td>4 inch waterborne paint</td><td>Min. of 16.5 gallons/mile</td><td>Min. of 6 pounds/gallon</td></tr><tr><td>6 inch waterborne paint</td><td>Min. of 24.8 gallons/mile</td><td>Min. of 6 pounds/gallon</td></tr><tr><td>6 inch durable waterborne paint</td><td>Min. of 36 gallons/mile</td><td>Min. of 6 pounds/gallon</td></tr></table>	Material	Paint Application Rate	Glass Beads Application Rate	4 inch waterborne paint	Min. of 16.5 gallons/mile	Min. of 6 pounds/gallon	6 inch waterborne paint	Min. of 24.8 gallons/mile	Min. of 6 pounds/gallon	6 inch durable waterborne paint	Min. of 36 gallons/mile	Min. of 6 pounds/gallon
Material	Paint Application Rate	Glass Beads Application Rate											
4 inch waterborne paint	Min. of 16.5 gallons/mile	Min. of 6 pounds/gallon											
6 inch waterborne paint	Min. of 24.8 gallons/mile	Min. of 6 pounds/gallon											
6 inch durable waterborne paint	Min. of 36 gallons/mile	Min. of 6 pounds/gallon											
<b>SUBSECTION:</b> <b>REVISION:</b>	713.03.04 Marking Removal. Replace the last sentence of the paragraph with the following:  Vacuum all marking material and removal debris concurrently with the marking removal operation.												
<b>SUBSECTION:</b> <b>REVISION:</b>	713.05 PAYMENT. Insert the following codes and pay items below the Pavement Striping – Permanent Paint: <table><tr><td>Code</td><td>Pay Item</td><td>Pay Unit</td></tr><tr><td>24189ER</td><td>Durable Waterborne Marking – 6 IN W</td><td>Linear Foot</td></tr><tr><td>24190ER</td><td>Durable Waterborne Marking – 6 IN Y</td><td>Linear Foot</td></tr><tr><td>24191ER</td><td>Durable Waterborne Marking – 12 IN W</td><td>Linear Foot</td></tr></table>	Code	Pay Item	Pay Unit	24189ER	Durable Waterborne Marking – 6 IN W	Linear Foot	24190ER	Durable Waterborne Marking – 6 IN Y	Linear Foot	24191ER	Durable Waterborne Marking – 12 IN W	Linear Foot
Code	Pay Item	Pay Unit											
24189ER	Durable Waterborne Marking – 6 IN W	Linear Foot											
24190ER	Durable Waterborne Marking – 6 IN Y	Linear Foot											
24191ER	Durable Waterborne Marking – 12 IN W	Linear Foot											

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<b>SUBSECTION: REVISION:</b>	714.03 CONSTRUCTION. Insert the following paragraph at the end of the third paragraph:  Use Type I Tape for markings on bridge decks, JPC pavement and JPC intersections. Thermoplastic should only be used for markings on asphalt pavement.
<b>SUBSECTION: REVISION:</b>	714.03.07 Marking Removal. Replace the third sentence of the paragraph with the following:  Vacuum all marking material and removal debris concurrently with the marking removal operation.
<b>SUBSECTION: REVISION:</b>	716.01 DESCRIPTION. Insert the following after the first sentence:  Energize lighting as soon as it is fully functional and ready for inspection. Ensure that lighting remains operational until the Division of Traffic Operations has provided written acceptance of the electrical work.
<b>SUBSECTION: REVISION:</b>	716.02.01 Roadway Lighting Materials. Replace the last two sentences of the paragraph with the following:  Submit for material approval an electronic file of descriptive literature, drawings, and any requested design data to the Division of Traffic Operations. Do not begin work until shop drawings are approved. Notify the Engineer when submitting any information to the Division of Traffic Operations. Do not make substitutions for approved materials without written permission as described above.
<b>SECTION: REVISION:</b>	717 – THERMOPLASTIC INTERSECTION MARKINGS. Replace the section name with the following:  INTERSECTION MARKINGS.
<b>SUBSECTION: REVISION:</b>	717.01 DESCRIPTION: Replace the paragraph with the following:  Furnish and install thermoplastic or Type I tape intersection markings (Stop Bars, Crosswalks, Turn Arrows, etc.) Thermoplastic markings may be installed by either a machine applied, screed extrusion process or by applying preformed thermoplastic intersection marking material.
<b>SUBSECTION: REVISION:</b>	717.02 MATERIALS AND EQUIPMENT. Insert the following subsection:  717.02.06 Type I Tape. Conform to Section 836.
<b>SUBSECTION: REVISION:</b>	717.03.03 Application. Insert the following part to the subsection:  B) Type I Tape Intersection Markings. Apply according to the manufacturer's recommendations. Cut all tape at pavement joints when applied to concrete surfaces.

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<b>SUBSECTION:</b> <b>PART:</b> <b>REVISION:</b>	717.03.05 Proving Period. A) Requirements. Insert the following to this section:  2) Type I Tape. During the proving period, ensure that the pavement marking material shows no signs of failure due to blistering, excessive cracking, bleeding, staining, discoloration, oil content of the pavement materials, drippings, chipping, spalling, poor adhesion to the pavement, loss of retroreflectivity, vehicular damage, and normal wear. Type I Tape is manufactured off site and warranted by the manufacturer to meet certain retroreflective requirements. As long as the material is adequately bonded to the surface and shows no signs of failure due to the other items listed in Subsection 714.03.06 A) 1), retroreflectivity readings will not be required. In the absence of readings, the Department will accept tape based on a nighttime visual observation.																																							
<b>SUBSECTION:</b> <b>REVISION:</b>	717.03.06 Marking Removal. Replace the third sentence of the paragraph with the following:  Vacuum all marking material and removal debris concurrently with the marking removal operation.																																							
<b>SUBSECTION:</b> <b>REVISION:</b>	717.05 PAYMENT. Insert the following bid item codes: <table><tr><td><u>Code</u></td><td><u>Pay Unit</u></td><td><u>Pay Item</u></td></tr><tr><td>06563</td><td>Pave Marking – R/R X Bucks 16 IN</td><td>Linear Foot</td></tr><tr><td>20782NS714</td><td>Pave Marking Thermo – Bike</td><td>Each</td></tr><tr><td>23251ES717, 23264ES717</td><td>Pave Mark TY I Tape X-Walk, Size</td><td>Linear Foot</td></tr><tr><td>23252ES717, 23265ES717</td><td>Pave Mark TY I Tape Stop Bar, Size</td><td>Linear Foot</td></tr><tr><td>23253ES717</td><td>Pave Mark TY I Tape Cross Hatch</td><td>Square Foot</td></tr><tr><td>23254ES717</td><td>Pave Mark TY I Tape Dotted Lane Extension</td><td>Linear Foot</td></tr><tr><td>23255ES717</td><td>Pave Mark TY I Tape Arrow, Type</td><td>Each</td></tr><tr><td>23268ES717-23270ES717</td><td></td><td></td></tr><tr><td>23256ES717</td><td>Pave Mark TY I Tape- ONLY</td><td>Each</td></tr><tr><td>23257ES717</td><td>Pave Mark TY I Tape- SCHOOL</td><td>Each</td></tr><tr><td>23266ES717</td><td>Pave Mark TY 1 Tape R/R X Bucks-16 IN</td><td>Linear Foot</td></tr><tr><td>23267ES717</td><td>Pave Mark TY 1 Tape-Bike</td><td>Each</td></tr></table>	<u>Code</u>	<u>Pay Unit</u>	<u>Pay Item</u>	06563	Pave Marking – R/R X Bucks 16 IN	Linear Foot	20782NS714	Pave Marking Thermo – Bike	Each	23251ES717, 23264ES717	Pave Mark TY I Tape X-Walk, Size	Linear Foot	23252ES717, 23265ES717	Pave Mark TY I Tape Stop Bar, Size	Linear Foot	23253ES717	Pave Mark TY I Tape Cross Hatch	Square Foot	23254ES717	Pave Mark TY I Tape Dotted Lane Extension	Linear Foot	23255ES717	Pave Mark TY I Tape Arrow, Type	Each	23268ES717-23270ES717			23256ES717	Pave Mark TY I Tape- ONLY	Each	23257ES717	Pave Mark TY I Tape- SCHOOL	Each	23266ES717	Pave Mark TY 1 Tape R/R X Bucks-16 IN	Linear Foot	23267ES717	Pave Mark TY 1 Tape-Bike	Each
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<b>SUBSECTION:</b> <b>REVISION:</b>	725.02.02 Type VI Class C & CT. Replace bullet 2) with the following:  2) The SCI100GM System as developed by SCI Products, Inc. of St. Charles, Illinois. For all miscellaneous metal work conform to ASTM A 36 and galvanize according to ASTM A 123. For the SCI100GM fender panels conform to AASHTO 180. Galvanize the SCI100GM fender panels and SCI100GM -beam connectors after fabrication according to ASTM A 123.																																							
<b>SUBSECTION:</b> <b>REVISION:</b>	725.02.04 Type VII Class C. Replace bullet 2) with the following: 2) The SCI100GM System as developed by SCI Products, Inc. of St. Charles, Illinois. For all miscellaneous metal work conform to ASTM A 36 and galvanize according to ASTM A 123. For the SCI100GM fender panels conform to AASHTO 180. Galvanize the SCI100GM fender panels and SCI100GM-beam connectors after fabrication according to ASTM A 123.																																							
<b>SUBSECTION:</b> <b>REVISION:</b>	801.01 REQUIREMENTS. Delete the fourth sentence of the first paragraph and add the following to the second paragraph.  When supplying cement with a SO <sub>3</sub> content above the value in table I of ASTM C 150, include supportive ASTM C 1038 14-day expansion test data for the supplied SO <sub>3</sub> content on the certification.																																							

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<b>SUBSECTION:</b> <b>REVISION:</b>	805.01 GENERAL. Replace the second paragraph with the following:  The Department’s List of Approved Materials includes the Aggregate Source List, the list of Class A and Class B Polish-Resistant Aggregate Sources, and the Concrete Restriction List.
<b>SUBSECTION:</b> <b>REVISION:</b>	805.04 CONCRETE. Delete footnote (1) The permissible lightweight particle content of gravel coarse aggregate for reinforced concrete box culvert sections, concrete pipe, pipe arches, or for use only in concrete that will be permanently protected from freezing by 2 feet or more of cover is 10.0 percent.
<b>SUBSECTION:</b> <b>REVISION:</b>	805.04 CONCRETE. Replace the “AASHTO T 160” reference in first sentence of the third paragraph with “KM 64-629”
<b>SUBSECTION:</b> <b>TABLE:</b> <b>PART:</b> <b>REVISION:</b>	805.15 GRADATION ACCEPTANCE OF NON-SPECIFICATION COARSE AGGREGATE. AGGREGATE SIZE USE Cement Concrete Structures and Incidental Construction Replace “9-M for Waterproofing Overlays” with “8 or 9-M for Waterproofing Overlays”



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**SUBSECTION:** 805.15 GRADATION ACCEPTANCE OF NON-SPECIFICATION COARSE AGGREGATE.  
**REVISION:** Replace the "SIZES OF COARSE AGGREGATES" table in with the following:

SIZES OF COARSE AGGREGATES																	
AMOUNTS FINER THAN EACH LABORATORY SIEVE (SQUARE OPENINGS) PERCENTAGE BY WEIGHT																	
Aggregate Size	Sieve																
	Nominal <sup>(3)</sup> Maximum Aggregate Size	4 inch	3 1/2 inch	3 inch	2 1/2 inch	2 inch	1 1/2 inch	1 inch	3/4 inch	1/2 inch	3/8 inch	No. 4	No. 8	No. 16	No. 30	No. 100	No. 200
1	3 1/2 inch	100	90-100		25-60		0-15		0-5								
2	2 1/2 inch			100	90-100	35-70	0-15		0-5								
23	2 inch			100		40-90		0-15		0-5							
3	2 inch				100	90-100	35-70	0-15		0-5							
357	2 inch				100	95-100		35-70		10-30		0-5					
4	1 1/2 inch					100	90-100	20-55	0-15		0-5						
467	1 1/2 inch					100	95-100		35-70		10-30	0-5					
5	1 inch						100	90-100	20-55	0-10	0-5						
57	1 inch						100	95-100		25-60		0-10	0-5				
610	1 inch						100	85-100		40-75		15-40					
67	3/4 inch							100	90-100		20-55	0-10	0-5				
68	3/4 inch							100	90-100		30-65	5-25	0-10	0-5			
710	3/4 inch							100	80-100		30-75	0-30					
78	1/2 inch								100	90-100	40-75	5-25	0-10	0-5			
8	3/8 inch									100	85-100	10-30	0-10	0-5			
9-M	3/8 inch									100	75-100	0-25	0-5				
10 <sup>(2)</sup>	No. 4										100	85-100				10-30	
11 <sup>(2)</sup>	No. 4										100	40-90	10-40			0-5	
DENSE GRADED AGGREGATE <sup>(1)</sup>	3/4 inch							100	70-100		50-80	30-65			10-40		4-13
CRUSHED STONE BASE <sup>(1)</sup>	1 1/2 inch				100		90-100		60-95		30-70	15-55			5-20		0-8

<sup>(1)</sup> Gradation performed by wet sieve KM 64-620 or AASHTO T 11/T 27.  
<sup>(2)</sup> Sizes shown for convenience and are not to be considered as coarse aggregates.  
<sup>(3)</sup> Nominal Maximum Size is the largest sieve on the gradation table for an aggregate size on which any material may be retained.  
Note: The Department will allow blending of same source/same type aggregate when precise procedures are used such as cold feed, belt, or equivalent and combining of sizes or types of aggregate using the weigh hopper at concrete plants or controlled feed belts at the pugmill to obtain designated sizes.



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<b>SUBSECTION: REVISION:</b>	805.16 SAMPLING AND TESTING. Replace the “AASHTO T 160” method with the “KM 64-629” method for the Concrete Beam Expansion Test.  Replace the “ASTM D 3042” method with the “KM 64-625” method for Insoluble Residue.					
<b>SUBSECTION: REVISION:</b>	810.04.01 Coating Requirements. Replace the “Subsection 806.07” references with “Subsection 806.06”					
<b>SUBSECTION: PART: REVISION:</b>	810.06.01 Polyvinyl Chloride (PVC) Pipe. B) Culvert and Entrance Pipe. Replace the title with the following:  B) Culvert Pipe, Storm Sewer, and Entrance Pipe.					
<b>SUBSECTION: REVISION:</b>	823.02 LIQUID MEMBRANE FORMING COMPOUNDS. Add the following:  Effective July 1, 2011, to remain on or be added to the Department’s approved list, products must have completed testing or been submitted for testing through the National Transportation Product Evaluation Program (NTPEP) for Concrete Curing Compounds.					
<b>SUBSECTION: REVISION:</b>	837.03 APPROVAL. Replace the last sentence with the following:  The Department will sample and evaluate for approval each lot of thermoplastic material delivered for use per contract prior to installation of the thermoplastic material. Do not allow the installation of thermoplastic material until it has been approved by the Division of Materials. Allow the Department a minimum of 10 working days to evaluate and approve thermoplastic material.					
<b>SUBSECTION: REVISION:</b>	837.03.01 Composition. COMPOSITION Table: Replace <table border="1"><tr><td>Lead Chromate</td><td>0.0 max.</td><td>4.0 min.</td></tr></table> with <table border="1"><tr><td>Heavy Metals Content</td><td>Comply with 40 CFR 261</td></tr></table>	Lead Chromate	0.0 max.	4.0 min.	Heavy Metals Content	Comply with 40 CFR 261
Lead Chromate	0.0 max.	4.0 min.				
Heavy Metals Content	Comply with 40 CFR 261					
<b>SUBSECTION: TABLE: REVISION:</b>	842.02 APPROVAL. PAINT COMPOSITION Revise the following in the table:  Replace the 2.0ΔE* values in the table with 4.0ΔE* for both Yellow and White Paint on both the Daytime and Nighttime Color Spectrophotometer.					
<b>SECTION: REVISION:</b>	DIVISION 800 MATERIAL DETAILS Add the following section in Division 800  <b>SECTION 846 – DURABLE WATERBORNE PAINT</b>  <b>846.01 DESCRIPTION.</b> This section covers quick-drying durable waterborne pavement striping paint for permanent applications. The paint shall be ready-mixed, one-component, 100% acrylic waterborne striping paint suitable for application on such traffic-bearing surfaces as Portland cement concrete, bituminous cement concrete, asphalt, tar, and previously painted areas of these surfaces.  <b>846.02 Approval.</b> Select materials that conform to the composition requirements below. Provide independent analysis data and certification for each formulation stating the total concentration of each heavy metal present, the test method used for each determination, and compliance to 40 CFR 261 for leachable heavy metals content. Submit initial samples for approval before beginning striping					

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	<p>operations. The initial sample may be sent from the manufacture of the paint. The Department will randomly sample and evaluate the paint each week that the striping operations are in progress.</p> <p>The non-volatile portion of the vehicle shall be composed of a 100% acrylic polymer as determined by infrared spectral analysis. The acrylic resin used shall be a 100% cross-linking acrylic as evidenced by infrared peaks at wavelengths 1568, 1624, and 1672 cm-1 with intensities equal to those produced by an acrylic resin known to be 100% cross-linking.</p>																																													
	<table><tr><th colspan="3">PAINT COMPOSITION</th></tr><tr><th>Property and Test Method</th><th>Yellow</th><th>White</th></tr><tr><td>Daytime Color (CIELAB) Spectrophotometer using illuminant D65 at 45° illumination and 0° viewing with a 2° observer</td><td>L* 81.76 a* 19.79 b* 89.89 Maximum allowable variation 4.0ΔE*</td><td>L* 93.51 a* -1.01 b* 0.70 Maximum allowable variation 4.0ΔE*</td></tr><tr><td>Nighttime Color (CIELAB) Spectrophotometer using illuminant A at 45° illumination and 0° viewing with a 2° observer</td><td>L* 86.90 a* 24.80 b* 95.45 Maximum allowable variation 4.0ΔE*</td><td>L* 93.45 a* -0.79 b* 0.43 Maximum allowable variation 4.0ΔE*</td></tr><tr><td>Heavy Metals Content</td><td>Comply with 40 CFR 261</td><td>Comply with 40 CFR 261</td></tr><tr><td>Titanium Dioxide ASTM D 4764</td><td>NA</td><td>10% by weight of pigment min.</td></tr><tr><td>VOC ASTM D 2369 and D 4017</td><td>1.25 lb/gal max.</td><td>1.25 lb /gal max.</td></tr><tr><td>Contrast Ratio (at 15 mils wft)</td><td>0.97</td><td>0.99</td></tr></table> <p><b>846.02.01 Manufacturers Certification.</b> Provide a certification of analysis for each lot of traffic paint produced stating conformance to the requirements of this section. Report the formulation identification, traffic paint trade name, color, date of manufacturer, total quantity of lot produced, actual quantity of traffic paint represented, sampling method utilized to obtain the samples, and data for each sample tested to represent each lot produced.</p> <p><b>846.03 ACCEPTANCE PROCEDURES FOR NON-SPECIFICATION DURABLE WATERBORNE PAVEMENT STRIPING PAINT.</b> When non-specification paint is inadvertently incorporated into the work the Department will accept the material with a reduction in pay. The percentage deduction is cumulative based on its compositional properties, but will not exceed 60 percent. The Department will calculate the payment reduction on the unit bid price for the routes where the non-specification paint was used.</p> <table><tr><th colspan="7">DURABLE WATERBORNE PAVEMENT STRIPING PAINT REDUCTION SCHEDULE</th></tr><tr><th>Non-conforming Property</th><th>Resin</th><th>Color</th><th>Contrast</th><th>TiO<sub>2</sub></th><th>VOC</th><th>Heavy Metals Content</th></tr><tr><td>Reduction Rate</td><td>60%</td><td>10%</td><td>10%</td><td>10%</td><td>60%</td><td>60%</td></tr></table>	PAINT COMPOSITION			Property and Test Method	Yellow	White	Daytime Color (CIELAB) Spectrophotometer using illuminant D65 at 45° illumination and 0° viewing with a 2° observer	L* 81.76 a* 19.79 b* 89.89 Maximum allowable variation 4.0ΔE*	L* 93.51 a* -1.01 b* 0.70 Maximum allowable variation 4.0ΔE*	Nighttime Color (CIELAB) Spectrophotometer using illuminant A at 45° illumination and 0° viewing with a 2° observer	L* 86.90 a* 24.80 b* 95.45 Maximum allowable variation 4.0ΔE*	L* 93.45 a* -0.79 b* 0.43 Maximum allowable variation 4.0ΔE*	Heavy Metals Content	Comply with 40 CFR 261	Comply with 40 CFR 261	Titanium Dioxide ASTM D 4764	NA	10% by weight of pigment min.	VOC ASTM D 2369 and D 4017	1.25 lb/gal max.	1.25 lb /gal max.	Contrast Ratio (at 15 mils wft)	0.97	0.99	DURABLE WATERBORNE PAVEMENT STRIPING PAINT REDUCTION SCHEDULE							Non-conforming Property	Resin	Color	Contrast	TiO <sub>2</sub>	VOC	Heavy Metals Content	Reduction Rate	60%	10%	10%	10%	60%	60%
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<b>APPENDIX A:</b> <b>PART:</b> <b>REVISION:</b>	TABLUTION OF CONSTRUCTION TOLERANCES. 601.03.03 Replace with the following:  Concrete accuracy of individual ingredient material for each batch. ± 2.0% for aggregates ± 1.0% for water ± 1.0% for cement in batches of 4 cubic yards or greater ± 1.0% for total cementitious materials in batches of 4 cubic yards or greater 0.0% to + 4.0% for cement in batches less than 4 cubic yards 0.0% to + 4.0% for total cementitious materials in batches less than 4 cubic yards ± 3.0% for admixtures
<b>APPENDIX A:</b> <b>PART:</b> <b>REVISION:</b>	TABLUTION OF CONSTRUCTION TOLERANCES. 601.03.03 C) 2) Delete

## **SPECIAL NOTE FOR ROCK BLASTING**

**1.0 DESCRIPTION.** This work consists of fracturing rock and constructing stable final rock cut faces using presplit blasting and production blasting techniques.

**2.0 MATERIALS.** Deliver, store, and use explosives according to the manufacturer's recommendations and applicable laws. Do not use explosives outside their recommended use date. Verify date of manufacture and provide copies of the technical data sheets (TDS) and material safety data sheets (MSDS) to the Engineer. Explosives and initiating devices include, but are not necessarily limited to, dynamite and other high explosives, slurries, water gels, emulsions, blasting agents, initiating explosives, detonators, blasting caps, and detonating cord.

**3.0 CONSTRUCTION.** Furnish copies or other proof of all-applicable permits and licenses. Comply with Federal, State, and local regulations on the purchase, transportation, storage, and use of explosive material. Regulations include but are not limited to the following:

- 1) KRS 351.310 through 351.9901.
- 2) 805 KAR 4:005 through 4:165
- 3) Applicable rules and regulations issued by the Office of Mine Safety and Licensing.
- 4) Safety and health. OSHA, 29 CFR Part 1926, Subpart U.
- 5) Storage, security, and accountability. Bureau of Alcohol, Tobacco, and Firearms (BATF), 27 CFR Part 181.
- 6) Shipment. DOT, 49 CFR Parts 171-179, 390-397.

**3.1 Blaster-in-Charge.** Designate in writing a blaster-in-charge and any proposed alternates for the position. Submit documentation showing the blaster-in-charge, and alternates, have a valid Kentucky blaster's license. Ensure the blaster-in-charge or approved alternate is present at all times during blasting operations.

**3.2 Blasting Plans.** Blasting plans and reports are for quality control and record keeping purposes. Blasting reports are to be signed by the blaster-in-charge or the alternate blaster-in-charge. The general review and acceptance of blasting plans does not relieve the Contractor of the responsibility whatsoever for conformance to regulations or for obtaining the required results.

**A) General Blasting Plan.** Submit a general blasting plan for acceptance at least 15 working days before drilling operations begin. Include, as a minimum, the following safety and procedural details:

- 1) Working procedures and safety precautions for storing, transporting, handling, detonating explosives. Include direction on pre and post blast audible procedures, methods of addressing misfires, and methods of addressing inclement weather, including lightning.
- 2) Proposed product selection for both dry and wet holes. Furnish Manufacturer's TDS and MSDS for all explosives, primers, initiators, and other blasting devices.
- 3) Proposed initiation and delay methods.

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- 4) Proposed format for providing all the required information for the site specific blasting shot reports.

**B) Preblast Meeting.** Prior to drilling operations, conduct a preblast meeting to discuss safety and traffic control issues and any site specific conditions that will need to be addressed. Ensure, at a minimum, that the Engineer or lead inspector, Superintendent, blaster-in-charge, and all personnel involved in the blasting operation are present. Site specific conditions include blast techniques; communication procedures; contingency plans and equipment for dealing with errant blast material. The conditions of the General Blasting plan will be discussed at this meeting. Record all revisions and additions made to the blasting plan and obtain written concurrence by the blaster-in-charge. Provide a copy of the signed blast plan to the Engineer along with the sign in sheet from the preblast meeting.

**3.3 Preblast Condition Survey and Vibration Monitoring and Control.** Before blasting, arrange for a preblast condition survey of nearby buildings, structures, or utilities, within 500 feet of the blast or that could be at risk from blasting damage. Provide the Engineer a listing of all properties surveyed and any owners denying entry or failing to respond. Notify the Engineer and occupants of buildings at risk at least 24 hours before blasting.

Limit ground vibrations and airblast to levels that will not exceed limits of 805 KAR 4:005 through 4:165. More restrictive levels may be specified in the Contract.

Size all blast designs based on vibration, distance to nearest building or utility, blast site geometry, atmospheric conditions and other factors. Ground vibrations are to be controlled according to the blasting standards and scaled distance formulas in 805 KAR 4:020 or by the use of seismographs as allowed in 805 KAR 4:030. The Department will require seismographs at the nearest allowable location to the protected site when blasting occurs within 500 feet of buildings, structures, or utilities.

**3.4 Blasting.** Drill and blast at the designated slope lines according to the blasting plan. Perform presplitting to obtain smooth faces in the rock and shale formations. Perform the presplitting before blasting and excavating the interior portion of the specified cross section at any location. The Department may allow blasting for fall benches and haul roads prior to presplitting when blasting is a sufficient distance from the final slope and results are satisfactory to the Engineer. Use the types of explosives and blasting accessories necessary to obtain the required results.

Free blast holes of obstructions for their entire depth. Place charges without caving the blast hole walls. Stem the upper portion of all blast holes with dry sand or other granular material passing the 3/8-inch sieve. Dry drill cuttings are acceptable for stemming when blasts are more than 800 feet from the nearest dwelling.

Stop traffic during blasting operations when blasting near any road and ensure traffic does not pass through the Danger Zone. The blaster-in-charge will define the Danger Zone prior to each blast. Ensure traffic is stopped outside the Danger Zone, and in no case within 800 feet of the blast location.

Following a blast, stop work in the entire blast area, and check for misfires before allowing worker to return to excavate the rock.

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Remove or stabilize all cut face rock that is loose, hanging, or potentially dangerous. Leave minor irregularities or surface variations in place if they do not create a hazard. Drill the next lift only after the cleanup work and stabilization work is complete.

When blasting operations cause fracturing of the final rock face, repair or stabilize it in an approved manner at no cost to the Department.

Halt blasting operations in areas where any of the following occur:

- 1) Slopes are unstable;
- 2) Slopes exceed tolerances or overhangs are created;
- 3) Backslope damage occurs;
- 4) Safety of the public is jeopardized;
- 5) Property or natural features are endangered;
- 6) Fly rock is generated; or
- 7) Excessive ground or airblast vibrations occur in an area where damage to buildings, structures, or utilities is possible.
- 8) The Engineer determines that materials have become unsuitable for blasting

Blasting operations may continue at a reasonable distance from the problem area or in areas where the problems do not exist. Make the necessary modifications to the blasting operations and perform a test blast to demonstrate resolution of the problem.

**A) Drill Logs.** Maintain a layout drawing designating hole numbers with corresponding drill logs and provide a copy of this information to the blaster prior to loading the hole. Ensure the individual hole logs completed by the driller(s) show their name; date drilled; total depth drilled; and depths and descriptions of significant conditions encountered during drilling that may affect loading such as water, voids, changes in rock type.

**B) Presplitting.** Conduct presplitting operations in conformance with Subsection 204.03.04 of the Standard Specifications for Road and Bridge Construction.

**3.5 Shot Report.** Maintain all shot reports on site for review by the Department. Within one day after a blast, complete a shot report according to the record keeping requirements of 805 KAR 4:050. Include all results from airblast and seismograph monitoring.

**3.6 Unacceptable Blasting.** When unacceptable blasting occurs, the Department will halt all blasting operations. Blasting will not resume until the Department completes its investigation and all concerns are addressed. A blast is unacceptable when it results in fragmentation beyond the final rock face, fly rock, excessive vibration or airblast, overbreak, damage to the final rock face or overhang. Assume the cost for all resulting damages to private and public property and hold the Department harmless.

When an errant blast or fly rock causes damage to or blocks a road or conveyance adjacent to the roadway, remove all debris from the roadway as quickly as practicable and perform any necessary repairs. Additionally, when specified in the Contract, the Department will apply a penalty.

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**4.0 MEASUREMENT AND PAYMENT.** The Department will not measure this work for payment and will consider all items contained in this note to be incidental to either Roadway Excavation or Embankment-in-Place, as applicable. However, if the Engineer directs in writing slope changes, then the Department will pay for the second presplitting operation as Extra Work.

The Department will measure for payment material lying outside the typical section due to seams, broken formations, or earth pockets, including any earth overburden removed with this material, only when the work is performed under authorized adjustments.

The Department will not measure for payment any extra material excavated because of the drill holes being offset outside the designated slope lines.

The Department will not measure for payment any material necessary to be removed due to the inefficient or faulty blasting practices.

May 6, 2008

**PART III**

**EMPLOYMENT, WAGE AND RECORD REQUIREMENTS**



**TRANSPORTATION CABINET  
DEPARTMENT OF HIGHWAYS**

**LABOR AND WAGE REQUIREMENTS  
APPLICABLE TO OTHER THAN FEDERAL-AID SYSTEM PROJECTS**

- I. Application
- II. Nondiscrimination of Employees (KRS 344)
- III. Payment of Predetermined Minimum Wages
- IV. Statements and Payrolls

**I. APPLICATION**

1. These contract provisions shall apply to all work performed on the contract by the contractor with his own organization and with the assistance of workmen under his immediate superintendence and to all work performed on the contract by piecework, station work or by subcontract. The contractor's organization shall be construed to include only workmen employed and paid directly by the contractor and equipment owned or rented by him, with or without operators.

2. The contractor shall insert in each of his subcontracts all of the stipulations contained in these Required Provisions and such other stipulations as may be required.

3. A breach of any of the stipulations contained in these Required Provisions may be grounds for termination of the contract.

**II. NONDISCRIMINATION OF EMPLOYEES**

**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 (between forty and seventy); 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 (between forty and seventy). 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, disability or age (between forty and seventy), except that such notice or advertisement may indicate a preference, limitation, or specification based on religion, or national origin when religion, or national origin 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 (between forty and seventy), 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 administering agency may direct as a means of enforcing such provisions, including sanctions for non-compliance.

**III. PAYMENT OF PREDETERMINED MINIMUM WAGES**

1. These special provisions are supplemented elsewhere in the contract by special provisions which set forth certain predetermined minimum wage rates. The contractor shall pay not less than those rates.

2. The minimum wage determination schedule shall be posted by the contractor, in a manner prescribed by the Department of Highways, at the site of the work in prominent places where it can be easily seen by the workers.

**IV. STATEMENTS AND PAYROLLS**

1. All contractors and subcontractors affected by the terms of KRS 337.505 to 337.550 shall keep full and accurate payroll records covering all disbursements of wages to their employees to whom they are required to pay not less than the prevailing rate of wages. Payrolls and basic records relating thereto will be maintained during the course of the work and preserved for a period of one (1) year from the date of completion of this contract.

2. The payroll records shall contain the name, address and social security number of each employee, his correct classification, rate of pay, daily and weekly number of hours worked, itemized deductions made and actual wages paid.

3. The contractor shall make his daily records available at the project site for inspection by the State Department of Highways contracting office or his authorized representative.

Periodic investigations shall be conducted as required to assure compliance with the labor provisions of the contract. Interrogation of employees and officials of the contractor shall be permitted during working hours.

Aggrieved workers, Highway Managers, Assistant District Engineers, Resident Engineers and Project Engineers shall report all complaints and violations to the Division of Contract Procurement.

The contractor shall be notified in writing of apparent violations. The contractor may correct the reported violations and notify the Department of Highways of the action taken or may request an informal hearing. The request for hearing shall be in writing within ten (10) days after receipt of the notice of the reported violation. The contractor may submit

records and information which will aid in determining the true facts relating to the reported violations.

Any person or organization aggrieved by the action taken or the findings established as a result of an informal hearing by the Division of Contract Procurement may request a formal hearing.

4. The wages of labor shall be paid in legal tender of the United States, except that this condition will be considered satisfied if payment is made by a negotiable check, on a solvent bank, which may be cashed readily by the employee in the local community for the full amount, without discount or collection charges of any kind. Where checks are used for payments, the contractor shall make all necessary arrangements for them to be cashed and shall give information regarding such arrangements.

5. No fee of any kind shall be asked or accepted by the contractor or any of his agents from any person as a condition of employment on the project.

6. No laborers shall be charged for any tools used in performing their respective duties except for reasonably avoidable loss or damage thereto.

7. Every employee on the work covered by this contract shall be permitted to lodge, board, and trade where and with whom he elects and neither the contractor nor his agents, nor his employees shall directly or indirectly require as a condition of employment that an employee shall lodge, board or trade at a particular place or with a particular person.

8. Every employee on the project covered by this contract shall be an employee of either the prime contractor or an approved subcontractor.

9. No charge shall be made for any transportation furnished by the contractor or his agents to any person employed on the work.

10. No individual shall be employed as a laborer or mechanic on this contract except on a wage basis, but this shall not be construed to prohibit the rental of teams, trucks or other equipment from individuals.

No Covered employee may be employed on the work except in accordance with the classification set forth in the schedule mentioned above; provided, however, that in the event additional classifications are required, application shall be made by the contractor to the Department of Highways and (1) the Department shall request appropriate classifications and rates from the proper agency, or (2) if there is urgent need for additional classification to avoid undue delay in the work, the contractor may employ such workmen at rates deemed comparable to rates established for similar classifications provided he has made written application through the Department of Highways, addressed to the proper agency, for the supplemental rates. The contractor shall retroactively adjust, upon receipt of the supplemental rates schedule, the wages of any employee paid less than the established rate and may adjust the wages of any employee overpaid.

11. 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 laborer or mechanic in any work-week in which he is employed on such work, to work in excess of eight hours in any calendar day or in excess of forty hours in such work-week unless such laborer or mechanic receives compensation at a rate not less than one and one half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such work-week. A laborer, workman or mechanic and an employer may enter into a written agreement or a collective bargaining agreement to work more than eight (8) hours a calendar day but not more than ten (10) hours a calendar day for the straight time hourly rate. This agreement shall be in writing and shall be executed prior to the employee working in excess of eight (8) hours, but not more than ten (10) hours, in any one (1) calendar day.

12. Payments to the contractor may be suspended or withheld due to failure of the contractor to pay any laborer or

mechanic employed or working on the site of the work, all or part of the wages required under the terms of the contract. The Department may suspend or withhold payments only after the contractor has been given written notice of the alleged violation and the contractor has failed to comply with the wage determination of the Department of Highways.

13. Contractors and subcontractors shall comply with the sections of Kentucky Revised Statutes, Chapter 337 relating to contracts for Public Works.

Revised 2-16-95

## EXECUTIVE BRANCH CODE OF ETHICS

In the 1992 regular legislative session, the General Assembly passed and Governor Brereton Jones signed Senate Bill 63 (codified as KRS 11A), the Executive Branch Code of Ethics, which states, in part:

KRS 11A.040 (6) provides:

No present or former public servant shall, within six (6) months of following termination of his office or employment, accept employment, compensation or other economic benefit from any person or business that contracts or does business with the state in matters in which he was directly involved during 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, provided that, for a period of six (6) months, he personally refrains from working on any matter in which he was directly involved 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.

KRS 11A.040 (8) states:

A former public servant shall not represent a person in a matter before a state agency in which the former public servant was directly involved, 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 as a way to obtain private benefits.

If you have worked for the executive branch of state government within the past six months, 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, Room 136, Capitol Building, 700 Capitol Avenue, Frankfort, Kentucky 40601; telephone (502) 564-7954.

### **Kentucky Equal Employment Opportunity Act of 1978**

The requirements of the Kentucky Equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) shall apply to this Contract. The apparent low Bidder will be required to submit EEO forms to the Division of Construction Procurement, which will then forward to the Finance and Administration Cabinet for review and approval. No award will become effective until all forms are submitted and EEO/CC has certified compliance. The required EEO forms are as follows:

- EEO-1: Employer Information Report
- Affidavit of Intent to Comply
- Employee Data Sheet
- Subcontractor Report

These forms are available on the Finance and Administration's web page under ***Vendor Information, Standard Attachments and General Terms*** at the following address:  
**<https://www.eProcurement.ky.gov>**.

Bidders currently certified as being in compliance by the Finance and Administration Cabinet may submit a copy of their approval letter in lieu of the referenced EEO forms.

For questions or assistance please contact the Finance and Administration Cabinet by email at **[finance.contractcompliance@ky.gov](mailto:finance.contractcompliance@ky.gov)** or by phone at 502-564-2874.

General Decision Number: KY100214 11/04/2011 KY214

State: Kentucky

Construction Type: Highway

Counties: Allen, Ballard, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Daviess, Edmonson, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Logan, Lyon, Marshall, McCracken, McLean, Muhlenberg, Ohio, Simpson, Todd, Trigg, Union, Warren and Webster Counties in Kentucky.

HIGHWAY CONSTRUCTION PROJECTS (excluding tunnels, building structures in rest area projects & railroad construction; bascule, suspension & spandrel arch bridges designed for commercial navigation, bridges involving marine construction; and other major bridges).

Modification Number	Publication Date
0	10/22/2010
1	01/28/2011
2	03/25/2011
3	04/01/2011
4	05/27/2011
5	06/03/2011
6	07/01/2011
7	07/08/2011
8	07/22/2011
9	07/29/2011
10	08/05/2011
11	08/12/2011
12	08/19/2011
13	09/16/2011
14	10/07/2011
15	10/21/2011
16	11/04/2011

BRIN0004-002 06/01/2011

BALLARD, BUTLER, CALDWELL, CARLISLE, CRITTENDEN, DAVIESS, EDMONSON, FULTON, GRAVES, HANCOCK, HENDERSON, HICKMAN, HOPKINS, LIVINGSTON, LYON, MARSHALL, MCCracken, MCLEAN, MUHLENBERG, OHIO, UNION, and WEBSTER COUNTIES

	Rates	Fringes
BRICKLAYER.....	\$ 28.47	12.78

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BRTN0004-005 05/01/2009

ALLEN, CALLOWAY, CHRISTIAN, LOGAN, SIMPSON, TODD, TRIGG, and WARREN COUNTIES

	Rates	Fringes
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BRICKLAYER.....\$ 24.52 1.83

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CARP0357-002 07/01/2011

	Rates	Fringes
CARPENTER.....	\$ 25.95	13.22
Diver.....	\$ 39.30	13.22
PILEDRIVERMAN.....	\$ 26.20	13.22

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ELEC0369-006 05/26/2010

BUTLER, EDMONSON, LOGAN, TODD & WARREN COUNTIES:

	Rates	Fringes
ELECTRICIAN.....	\$ 29.27	13.08

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ELEC0429-001 02/01/2010

ALLEN & SIMPSON COUNTIES:

	Rates	Fringes
ELECTRICIAN.....	\$ 21.85	10.35

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ELEC0816-002 06/01/2011

BALLARD, CALDWELL, CALLOWAY, CARLISLE, CHRISTIAN, CRITTENDEN,  
FULTON (Except a 5 mile radius of City Hall in Fulton), GRAVES,  
HICKMAN, LIVINGSTON, LYON, MARSHALL, MCCracken & TRIGG COUNTIES:

	Rates	Fringes
ELECTRICIAN.....	\$ 29.47	25.5%+5.35

Cable spicers receive \$.25 per hour additional.

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ELEC1701-003 06/01/2011

DAVISS, HANCOCK, HENDERSON, HOPKINS, MCLEAN, MUHLENBERG, OHIO,  
UNION & WEBSTER COUNTIES:

	Rates	Fringes
ELECTRICIAN.....	\$ 29.02	13.44

Cable spicers receive \$.25 per hour additional.

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\* ELEC1925-002 08/01/2011

FULTON COUNTY (Up to a 5 mile radius of City Hall in Fulton):

	Rates	Fringes
CABLE SPLICER.....	\$ 25.00	10.27
ELECTRICIAN.....	\$ 24.60	10.41

ENGI0181-017 07/01/2011

	Rates	Fringes
Operating Engineer:		
GROUP 1.....	\$ 26.50	13.00
GROUP 2.....	\$ 24.08	13.00
GROUP 3.....	\$ 24.46	13.00
GROUP 4.....	\$ 23.82	13.00

# OPERATING ENGINEER CLASSIFICATIONS

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

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 Concrete 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

GROUP 3 - All Off Road Material Handling Equipment, including Articulating Dump Trucks; Greaser on Grease Facilities servicing Heavy Equipment

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 equals or exceeds 150 ft. - \$1.00 above 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.

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IRON0070-005 06/01/2011

BUTLER COUNTY (Eastern eighth, including the Townships of Decker, Lee & Tilford);  
EDMONSON COUNTY (Northern three-fourths, including the Townships of Asphalt, Bee Spring, Brownsville, Grassland, Huff, Kyrock, Lindseyville, Mammoth Cave, Ollie, Prosperity, Rhoda, Sunfish & Sweden)

	Rates	Fringes
Ironworkers:		
Structural; Ornamental;		
Reinforcing; Precast		
Concrete Erectors.....	\$ 25.77	18.28

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IRON0103-004 04/01/2011

DAVIESS, HANCOCK, HENDERSON, HOPKINS, MCLEAN, OHIO, UNION & WEBSTER COUNTIES  
BUTLER COUNTY (Townships of Aberdeen, Bancock, Casey, Dexterville, Dunbar, Elfie, Gilstrap, Huntsville, Logansport, Monford, Morgantown, Provo, Rochester, South Hill & Welchs Creek);  
CALDWELL COUNTY (Northeastern third, including the Township of Creswell);  
CHRISTIAN COUNTY (Northern third, including the Townships of Apex, Crofton, Kelly, Mannington & Wynns);  
CRITTENDEN COUNTY (Northeastern half, including the Townships of Grove, Mattoon, Repton, Shady Grove & Tribune);  
MUHLENBERG COUNTY (Townships of Bavier, Beech Creek Junction, Benton, Brennen, Browder, Central City, Cleaton, Depoy, Drakesboro, Eunis, Graham, Hillside, Luzerne, Lynn City, Martwick, McNary, Millport, Moorman, Nelson, Paradise, Powderly, South Carrollton, Tarina & Weir)

	Rates	Fringes
Ironworkers:.....	\$ 28.25	14.475

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IRON0492-003 05/01/2009

ALLEN, LOGAN, SIMPSON, TODD & WARREN COUNTIES  
BUTLER COUNTY (Southern third, including the Townships of Boston, Berrys Lick, Dimple, Jetson, Quality, Sharer, Sugar Grove & Woodbury);  
CHRISTIAN COUNTY (Eastern two-thirds, including the Townships



of Bennettstown, Casky, Herndon, Hopkinsville, Howell,  
Masonville, Pembroke & Thompsonville);  
EDMONSON COUNTY (Southern fourth, including the Townships of  
Chalybeate & Rocky Hill);  
MUHLENBERG COUNTY (Southern eighth, including the Townships of  
Dunnior, Penrod & Rosewood)

	Rates	Fringes
Ironworkers:.....	\$ 22.50	9.60

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IRON0782-006 05/01/2011

BALLARD, CALLOWAY, CARLISLE, FULTON, GRAVES, HICKMAN,  
LIVINGSTON, LYON, MARSHALL, MCCrackEN & TRIGG COUNTIES  
CALDWELL COUNTY (Southwestern two-thirds, including the  
Townships of Cedar Bluff, Cider, Claxton, Cobb, Crowtown,  
Dulaney, Farmersville, Fredonia, McGowan, Otter Pond &  
Princeton);  
CHRISTIAN COUNTY (Western third, Excluding the Townships of  
Apex, Crofton, Kelly, Mannington, Wynns, Bennettstown, Casky,  
Herndon, Hopkinsville, Howell, Masonville, Pembroke &  
Thompsonville);  
CRITTENDEN COUNTY (Southwestern half, including the Townships  
of Crayne, Dycusburg, Frances, Marion, Mexico, Midway,  
Sheridan & Told)

	Rates	Fringes
Ironworkers:		
Projects with a total contract cost of \$20,000,000.00 or above.....	\$ 26.00	17.42
All Other Work.....	\$ 24.66	16.29

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LABO0189-005 07/01/2011

BALLARD, CALLOWAY, CARLISLE, FULTON, GRAVES, HICKMAN,  
LIVINGSTON, LYON, MARSHALL & MCCrackEN COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1.....	\$ 20.38	11.28
GROUP 2.....	\$ 20.63	11.28
GROUP 3.....	\$ 20.68	11.28
GROUP 4.....	\$ 21.28	11.28

#### LABORER CLASSIFICATIONS

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

GROUP 2 - Batter Board Man (Sanitary & Storm Sewer); Brickmason Tender; Mortar Mixer Operator; Scaffold Builder; Burner & Welder; Bushhammer; 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

GROUP 3 - Asphalt Luteman & Raker; Gunnite Nozzleman; Gunnite Operator & Mixer; Grout Pump Operator; Blaster; Side Rail Setter; Rail Paved Ditches; Screw Operator; Tunnel (Free Air); Water Blaster

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

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LABO0189-006 07/01/2011  
  
ALLEN, BUTLER, CALDWELL, CHRISTIAN, DAVIESS, EDMONSON, HANCOCK, HOPKINS, LOGAN, MCLEAN, MUHLENBERG, OHIO, SIMPSON, TODD, TRIGG & WARREN COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1.....	\$ 21.51	10.15
GROUP 2.....	\$ 21.76	10.15
GROUP 3.....	\$ 21.81	10.15
GROUP 4.....	\$ 22.41	10.15

LABORER CLASSIFICATIONS

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

GROUP 2 - Batter Board Man (Sanitary & Storm Sewer);  
Brickmason Tender; Mortar Mixer Operator; Scaffold Builder;  
Burner & Welder; Bushhammer; 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

GROUP 3 - Asphalt Luteman & Raker; Gunnite Nozzleman; Gunnite  
Operator & Mixer; Grout Pump Operator; Blaster; Side Rail  
Setter; Rail Paved Ditches; Screw Operator; Tunnel (Free  
Air); Water Blaster

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

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LABO0561-001 07/01/2011

CRITTENDEN, HENDERSON, UNION & WEBSTER COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1.....	\$ 20.61	11.05
GROUP 2.....	\$ 20.86	11.05
GROUP 3.....	\$ 20.91	11.05
GROUP 4.....	\$ 21.51	11.05

LABORER CLASSIFICATIONS

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

GROUP 2 - Batter Board Man (Sanitary & Storm Sewer);  
Brickmason Tender; Mortar Mixer Operator; Scaffold Builder;  
Burner & Welder; Bushhammer; 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

GROUP 3 - Asphalt Luteman & Raker; Gunnite Nozzleman; Gunnite  
Operator & Mixer; Grout Pump Operator; Blaster; Side Rail  
Setter; Rail Paved Ditches; Screw Operator; Tunnel (Free  
Air); Water Blaster

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

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PAIN0032-002 05/01/2010

BALLARD COUNTY

	Rates	Fringes
Painters:		
Bridges.....	\$ 30.56	13.95
All Other Work.....	\$ 28.26	13.95

Spray, Blast, Steam, High & Hazardous (Including Lead  
Abatement) and All Epoxy - \$1.00 Premium

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PAIN0118-003 05/01/2010

EDMONSON COUNTY:

	Rates	Fringes
Painters:		
Brush & Roller.....	\$ 18.50	10.30
Spray, Sandblast, Power Tools, Waterblast & Steam Cleaning.....	\$ 19.50	10.30

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PAIN0156-006 04/01/2010

DAVISS, HANCOCK, HENDERSON, MCLEAN, OHIO, UNION & WEBSTER  
COUNTIES

	Rates	Fringes
Painters:		
BRIDGES		
GROUP 1.....	\$ 25.60	10.05
GROUP 2.....	\$ 25.85	10.05
GROUP 3.....	\$ 26.60	10.05
GROUP 4.....	\$ 27.60	10.05
ALL OTHER WORK:		
GROUP 1.....	\$ 25.60	11.30
GROUP 2.....	\$ 25.85	11.30

GROUP 3.....	\$ 26.60	11.30
GROUP 4.....	\$ 27.60	11.30

PAINTER CLASSIFICATIONS

GROUP 1 - Brush & Roller

GROUP 2 - Plasterers

GROUP 3 - Spray; Sandblast; Power Tools; Waterblast;  
Steamcleaning; Brush & Roller of Mastics, Creosotes, Kwinch  
Koate & Coal Tar Epoxy

GROUP 4 - Spray of Mastics, Creosotes, Kwinch Koate & Coal  
Tar Epoxy

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PAIN0456-003 07/01/2011

ALLEN, BUTLER, LOGAN, MUHLENBERG, SIMPSON, TODD & WARREN  
COUNTIES:

	Rates	Fringes
Painters:		
BRIDGES		
Brush & Roller.....	\$ 22.55	9.65
Spray; Sandblast; Power Tools; Waterblast & Steam Cleaning.....		
	\$ 23.55	9.65
ALL OTHER WORK		
Brush & Roller.....	\$ 17.55	9.65
Spray; Sandblast; Power Tools; Waterblast & Steam Cleaning.....		
	\$ 18.55	9.65

ALL OTHER WORK - HIGH TIME PAY

Over 35 feet (up to 100 feet) - \$1.00 above base wage

100 feet and over - \$2.00 above base wage

DURING SPRAY PAINTING AND SANDBLASTING OPERATIONS, POT  
TENDERS SHALL RECEIVE THE SAME WAGE RATES AS THE SPRAY  
PAINTER OR NOZZLE OPERATOR

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PAIN0500-002 07/01/2011

CALDWELL, CALLOWAY, CARLISLE, CHRISTIAN, CRITTENDEN, FULTON,  
GRAVES, HICKMAN, HOPKINS, LIVINGSTON, LYON, MARSHALL, MCCracken  
& TRIGG COUNTIES:

	Rates	Fringes
Painters:		
Bridges.....	\$ 25.25	11.55
All Other Work.....	\$ 19.00	11.55

Waterblasting units with 3500 PSI and above - \$.50 premium  
Spraypainting and all abrasive blasting - \$1.00 premium  
Work 40 ft. and above ground level - \$1.00 premium

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PLUM0184-002 07/01/2011

BALLARD, CALDWELL, CALLOWAY, CARLISLE, CHRISTIAN, CRITTENDEN,  
FULTON, GRAVES, HICKMAN, LIVINGSTON, LYON, MARSHALL, MCCrackEN  
and TRIGG COUNTIES

	Rates	Fringes
Plumber; Steamfitter.....	\$ 31.45	13.99

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PLUM0502-004 08/01/2011

ALLEN, BUTLER, EDMONSON, SIMPSON & WARREN

	Rates	Fringes
Plumber; Steamfitter.....	\$ 31.00	16.13

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PLUM0633-002 07/01/2011

DAVISS, HANCOCK, HENDERSON, HOPKINS, LOGAN, MCLEAN,  
MUHLENBERG, OHIO, TODD, UNION & WEBSTER COUNTIES:

	Rates	Fringes
PLUMBER/PIPEFITTER.....	\$ 29.22	12.65

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TEAM0089-003 03/31/2008

	Rates	Fringes
Truck drivers:		
ALLEN, BUTLER, EDMONSON,		
LOGAN, SIMPSON & WARREN		
COUNTIES:		
Group 1.....	\$ 19.04	12.02
Group 2.....	\$ 19.37	12.02
Group 3.....	\$ 19.44	12.02
Group 4.....	\$ 19.45	12.02
Group 5.....	\$ 19.50	12.02
BALLARD, CALLOWAY,		
CALDWELL, CARLISLE,		
CHRISTIAN, CRITTENDEN,		
FULTON, GRAVES, HICKMAN,		
LIVINGSTON, LYON,		
MARSHALL, MCCrackEN, TODD		
& TRIGG COUNTIES:		
Group 1.....	\$ 23.89	4.15
Group 2.....	\$ 24.12	4.15
Group 3.....	\$ 24.19	4.15
Group 4.....	\$ 24.20	4.15
DAVISS, HANCOCK,		
HENDERSON, HOPKINS,		
MCLEAN, MUHLENBERG, OHIO,		
UNION & WEBSTER COUNTIES:		
Group 1.....	\$ 19.23	9.20
Group 2.....	\$ 19.46	9.20

Group 3.....	\$ 19.53	9.20
Group 4.....	\$ 19.54	9.20

TRUCK DRIVER CLASSIFICATIONS FOR ALLEN, BUTLER, EDMONSON,  
LOGAN, SIMPSON & WARREN COUNTIES

GROUP 1 - Greaser, Tire Changer

GROUP 2 - Truck Mechanic

GROUP 3 - Single Axle Dump; Flat Bed; all Terrain vehicles  
when used to haul materials; Semi Trailer or Pole Trailer  
when used to pull building materials and equipment; Tandem  
Axle Dump; Driver of Distributors; Mixer All Types

GROUP 4 - Winch and A-Frame when used in transporting  
materials; Ross Carrier; Fork Lift when used to transport  
building materials; Driver on Pavement Breaker

GROUP 5 - Euclid and Other Heavy Earth Moving Equipment; Low  
Boy; Articulator Cat; Five Axle Vehicle

TRUCK DRIVER CLASSIFICATIONS FOR BALLARD, CALLOWAY, CALDWELL,  
CARLISLE, CHRISTIAN, CRITTENDEN, FULTON, GRAVES, HICKMAN,  
LIVINGSTON, LYON, MARSHALL, MCCracken, TODD & TRIGG COUNTIES

GROUP 1 - Greaser; Tire Changer

GROUP 2 - Truck Mechanic

GROUP 3 - Single Axle Dump; Flat Bed; all Terrain Vehicles  
when used to haul materials; Semi Trailer or Pole Trailer  
when used to pull building materials and equipment; Tandem  
Axle Dump; Driver of Distributors; Mixer All Types

GROUP 4 - Euclid and Other Heavy Earth Moving Equipment; Low  
Boy; Articulator Cat; Five Axle Vehicle; Winch and A-Frame  
when used in transporting materials; Ross Carrier

TRUCK DRIVER CLASSIFICATIONS FOR DAVIESS, HANCOCK, HENDERSON,  
HOPKINS, MCLEAN, MUHLENBERG, OHIO, UNION & WEBSTER COUNTIES

GROUP 1 - Greaser, Tire Changer

GROUP 2 - Truck Mechanic

GROUP 3 - Single Axle Dump; Flat Bed; all Terrain Vehicle  
when used to haul materials; Semi Trailer or Pole Trailer  
when used to pull building materials and equipment; Tandem  
Axle Dump; Driver of Distributors; Mixer All Types

GROUP 4 - Euclid and Other Heavy Earth moving Equipment;  
Lowboy; Articulator Cat; 5 Axle Vehicle; Winch and A-Frame  
when used in transporting materials; Ross Carrier; Fork  
Lift when used to transport building materials; Driver on  
Pavement Breaker

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WELDERS - Receive rate prescribed for craft performing  
operation to which welding is incidental.

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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 (29 CFR 5.5(a)(1)(ii)).

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In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

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#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write 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 the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7).

Write 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 by 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

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

Fringe benefit amounts are applicable for all hours worked except when otherwise noted.

These rates are listed pursuant to the Kentucky Determination No. CR-11-I-HWY dated August 04, 2011

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 after an employee works eight (8) hours a day or forty (40) hours a week, whichever gives the employee the greater wages. At least time and one-half the base rate is required for all overtime. A laborer, workman or mechanic and an employer may enter into a written agreement or a collective bargaining agreement to work more than eight (8) hours a calendar day but not more than ten (10) hours a calendar day for the straight time hourly rate. Wage violations or questions should be directed to the designated Engineer or the undersigned.**

Ryan Griffith, Director  
Division of Construction Procurement  
Frankfort, Kentucky 40622

## **PART IV**

## **INSURANCE**

## INSURANCE

The Contractor shall procure and maintain the following insurance in addition to the insurance required by law:

- 1) Commercial General Liability-Occurrence form – not less than \$2,000,000 General aggregate, \$2,000,000 Products & Completed Aggregate, \$1,000,000 Personal & Advertising, \$1,000,000 each occurrence.
- 2) Automobile Liability- \$1,000,000 per accident
- 3) Employers Liability:
  - a) \$100,000 Each Accident Bodily Injury
  - b) \$500,000 Policy limit Bodily Injury by Disease
  - c) \$100,000 Each Employee Bodily Injury by Disease
- 4) The insurance required above must be evidenced by a Certificate of Insurance and this Certificate of Insurance must contain one of the following statements:
  - a) "policy contains no deductible clauses."
  - b) "policy contains \_\_\_\_\_ (amount) deductible property damage clause but company will pay claim and collect the deductible from the insured."
- 5) KENTUCKY WORKMEN'S COMPENSATION INSURANCE. The contractor shall furnish evidence of coverage of all his employees or give evidence of self-insurance by submitting a copy of a certificate issued by the Workmen's Compensation Board.

The cost of insurance is incidental to all contract items. All subcontractors must meet the same minimum insurance requirements.

# **PART V**

## **BID ITEMS**

KENTUCKY TRANSPORTATION CABINET  
DEPARTMENT OF HIGHWAYS  
FRANKFORT, KY 40622

CONTRACT ID: 111354  
COUNTY: LYON  
PROPOSAL: JL03 072 0062 008-009

PAGE: 1  
LETTING: 12/09/11  
CALL NO: 300

LINE NO	ITEM	DESCRIPTION	APPROXIMATE UNIT QUANTITY	UNIT PRICE	AMOUNT
SECTION 0001 PAVING					
0010	00001	DGA BASE	2,316.000 TON		
0020	00020	TRAFFIC BOUND BASE	69.000 TON		
0030	00100	ASPHALT SEAL AGGREGATE	12.000 TON		
0040	00214	CL3 ASPH BASE 1.00D PG64-22	1,923.000 TON		
0050	00291	EMULSIFIED ASPHALT RS-2	1.500 TON		
0060	00339	CL3 ASPH SURF 0.38D PG64-22	577.000 TON		
SECTION 0002 ROADWAY					
0070	01891	ISLAND HEADER CURB TYPE 2	73.000 LF		
0080	01904	REMOVE CURB	120.000 LF		
0090	02014	BARRICADE-TYPE III	6.000 EACH		
0100	02200	ROADWAY EXCAVATION	3,495.000 CUYD		
0110	02242	WATER	238.000 MGAL		
0120	02545	CLEARING AND GRUBBING (0.6 ACRES)	( 1.00) LS		
0130	02562	SIGNS	216.220 SQFT		
0140	02585	EDGE KEY	158.400 LF		
0150	02600	FABRIC GEOTEXTILE TY IV FOR PIPE	480.000 SQYD	2.00	960.00
0160	02650	MAINTAIN & CONTROL TRAFFIC	( 1.00) LS		
0170	02676	MOBILIZATION FOR MILL & TEXT	( 1.00) LS		
0180	02677	ASPHALT PAVE MILLING & TEXTURING	142.000 TON		
0190	02701	TEMP SILT FENCE	1,000.000 LF		

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LINE NO	ITEM	DESCRIPTION	APPROXIMATE UNIT QUANTITY	UNIT PRICE	AMOUNT
0200	02703	SILT TRAP TYPE A	8.000 EACH		
0210	02705	SILT TRAP TYPE C	1.000 EACH		
0220	02706	CLEAN SILT TRAP TYPE A	24.000 EACH		
0230	02708	CLEAN SILT TRAP TYPE C	4.000 EACH		
0240	02709	CLEAN TEMP SILT FENCE	3,000.000 LF		
0250	02726	STAKING	( 1.00 ) LS		
0260	05950	EROSION CONTROL BLANKET	512.000 SQYD		
0270	05952	TEMP MULCH	2,445.000 SQYD		
0280	05953	TEMP SEEDING AND PROTECTION	2,445.000 SQYD		
0290	05966	TOPDRESSING FERTILIZER	0.200 TON		
0300	05985	SEEDING AND PROTECTION	3,355.000 SQYD		
0310	05990	SODDING	597.000 SQYD		
0320	06514	PAVE STRIPING-PERM PAINT-4 IN	3,360.000 LF		
0330	06568	PAVE MARKING-THERMO STOP BAR-24IN	172.000 LF		
0340	06570	PAVE MARKING-PAINT CROSS-HATCH	1,169.000 SQFT		
0350	06573	PAVE MARKING-THERMO STR ARROW	3.000 EACH		
0360	06574	PAVE MARKING-THERMO CURV ARROW	6.000 EACH		
0370	06575	PAVE MARKING-THERMO COMB ARROW	7.000 EACH		
0380	06589	PAVEMENT MARKER TYPE V-MW	8.000 EACH		
0390	06591	PAVEMENT MARKER TYPE V-BY	34.000 EACH		
0400	06600	REMOVE PAVEMENT MARKER TYPE V	8.000 EACH		

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LINE NO	ITEM	DESCRIPTION	APPROXIMATE UNIT QUANTITY	UNIT PRICE	AMOUNT
0410	23131ER701	PIPELINE VIDEO INSPECTION	60.000 LF		
0420	24433EC	WIRELESS DETECTOR ACCESS POINT	1.000 EACH		
0430	24434EC	WIRELESS DETECTOR SENSOR	18.000 EACH		
0440	24435EC	WIRELESS DETECTOR REPEATOR	1.000 EACH		
SECTION 0003 DRAINAGE					
0450	00440	ENTRANCE PIPE-15 IN	159.000 LF		
0460	00441	ENTRANCE PIPE-18 IN	38.000 LF		
0470	00461	CULVERT PIPE-15 IN	60.000 LF		
0480	01380	METAL END SECTION TY 2-15 IN	1.000 EACH		
0490	01432	SLOPED BOX OUTLET TYPE 1-15 IN	2.000 EACH		
0500	02483	CHANNEL LINING CLASS II	28.000 TON		
SECTION 0004 DEMOBILIZATION					
0510	02569	DEMOBILIZATION (AT LEAST 1.5%)	LUMP		
		TOTAL BID			