

CALL NO. <u>304</u> CONTRACT ID. <u>191212</u> <u>TODD COUNTY</u> FED/STATE PROJECT NUMBER <u>FD07 110 0079 002-003</u> DESCRIPTION <u>US 79</u> WORK TYPE <u>ASPHALT SURFACE WITH GRADE & DRAIN</u> PRIMARY COMPLETION DATE <u>40 WORKING DAYS</u>

## LETTING DATE: <u>April 26,2019</u>

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN DAYLIGHT TIME April 26,2019. Bids will be publicly announced at 10:00 AM EASTERN DAYLIGHT TIME.

## PLANS AVAILABLE FOR THIS PROJECT.

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

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## PART I

## **SCOPE OF WORK**

## **ADMINISTRATIVE DISTRICT - 03**

#### CONTRACT ID - 191212

FD07 110 0079 002-003

**COUNTY - TODD** 

#### PCN - DE11000791912 FD07 110 0079 002-003

US 79 (MP 0.077) REALIGN OLD RAILROAD LANE AND WIDEN US 79 FOR TURN LANES FOR INDUSTRIAL ACCESS (MP 0.083), A DISTANCE OF 0.32 MILES. SYP NO. 03-00324.00. GEOGRAPHIC COORDINATES LATITUDE 36:39:48.00 LONGITUDE 87:10:06.00

#### COMPLETION DATE(S):

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

## JOINT VENTURE BIDDING

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

## **UNDERGROUND FACILITY DAMAGE PROTECTION**

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

## **REGISTRATION WITH THE SECRETARY OF STATE BY A FOREIGN ENTITY**

Pursuant to KRS 176.085(1)(b), an agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a state contract to a person that is a foreign entity required by <u>KRS 14A.9-010</u> to obtain a certificate of authority to transact business in the Commonwealth ("certificate") from the Secretary of State under <u>KRS 14A.9-030</u> 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 <u>KRS 14A.9-010</u>, the foreign entity should identify the applicable exception. Foreign entity is defined within <u>KRS 14A.1-070</u>.

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 <u>https://secure.kentucky.gov/sos/ftbr/welcome.aspx</u>.

## 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 <u>kytc.projectquestions@ky.gov</u>. 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 (<u>www.transportation.ky.gov/contract</u>). The answers provided shall be considered part of this Special Note and, in case of a discrepancy, will govern over all other bidding documents.

## HARDWOOD REMOVAL RESTRICTIONS

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

## INSTRUCTIONS FOR EXCESS MATERIAL SITES AND BORROW SITES

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

## ACCESS TO RECORDS

The 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.

April 30, 2018

## 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 electronic bidding software. Submittal of the Affidavit should be done along the bid in Bid Express.

April 30, 2018

## ASPHALT MIXTURE

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

## **INCIDENTAL SURFACING**

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

## ASPHALT PAVEMENT RIDE QUALITY CATEGORY B

The Department will apply Pavement Rideability Requirements on this project in accordance with Section 410, Category B.

## FUEL AND ASPHALT PAY ADJUSTMENT

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

#### **OPTION A**

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

## SPECIAL NOTE FOR SUBGRADE STABILIZATION ALTERNATES

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

**1.0 DESCRIPTION.** Use one of the following two alternates for the subgrade stabilization.

- a) Geogrid and geotextile fabric with nine additional inches of aggregate base
- b) Twelve inches of chemical stabilization using cement

## 2.0 MATERIALS

**2.1 Geogrid:** Furnish Geogrid according to Section 304.

**2.2 Type IV Geotextile Fabric:** Conform to Section 843.

**2.3 Aggregate:** Conform to Section 805.

2.4 Cement, Asphalt Curing Seal, Water and Sand: Conform to Section 208.02.

## **3.0 CONSTRUCTION**

**3.1 Geogrid Alternate:** Add 9 inches of aggregate base (DGA or CSB) to the pavement structure. This will require excavating the subgrade by 9 inches more than shown on the plans. This excavation is incidental to Subgrade Stabilization.

Place the geotextile fabric first, then place the geogrid on top of the geotextile fabric so that they are at the bottom of the aggregate layer. Maintain tension on the geogrid and ensure there are no buckles or folds. Geogrid should not be completely placed before placing aggregate, but should be placed down at the front of a "paving train" consisting of the geogrid laydown equipment followed no further than 50 feet by the aggregate placement equipment. In curves and intersections, cut and overlap the geogrid. Place the geogrid and aggregate base thickness is less than 12 inches, the aggregate base will be placed in one lift. If greater than 12 inches, place the aggregate in 5 inch to 12 inch lifts with the first lift being a minimum of 6 inches. All other construction and density requirements of Section 302 will apply.

- **3.2 Chemical Stabilization Alternate:** Construct a 12 inch thick, chemically stabilized Roadbed according to section 208 using cement. See the geotechnical report for the correct percent by weight for the proper dry density of the soils on the site.
- **4.0 MEASUREMENT.** The Department will measure the quantity of Subgrade Stabilization in square yards. The square yard price will include the additional 9 inches of aggregate, the Type IV Geotextile Fabric and the Geogrid; Cement, Cement Stabilized Roadbed, Asphalt

Curing Seal, and Sand for Blotter. No separate payment will be made for the above items. The Department will not make payment for providing a geogrid manufacturer's representative and will consider it incidental to the bid item for Subgrade Stabilization. The Department will not measure excavation for an additional 9 inches of aggregate or adjusting subgrade differences between the alternates, and will consider such excavation or adjustments as incidental to Subgrade Stabilization. Fuel Price Adjustment does not apply to the subgrade stabilization bid item.

**5.0 PAYMENT.** The Cabinet will make payment for the completed and accepted quantities under the following:

Code	Pay Item	<u>Pay Unit</u>
24790EC	Subgrade Stabilization	Square Yard

The Cabinet will consider payment as full compensation for all work required in this note. If the department determines a thicker stabilization section is needed once construction begins, the unit price for subgrade stabilization will be adjusted as follows:

Adjusted Unit Price = Original Unit Bid Price \* (New Thickness/Original Thickness of Alternate)

## **Special Notes for Cement Stabilization Option**

## DESCRIPTION

If cement stabilization is the contractor's preferred method for this project in order to expedite construction, the curing time and testing of the subgrade have been approved to be subject to an experimental procedure. The subgrade is to be prepared and mixed per the Standard Specifications. The curing time is allowed to be lowered to 48 hours per the following items in this note

- A. The subgrade is to be tested with a nuclear density meter to ensure that the required maximum dry density and optimum moisture content have been achieved.
- B. The subgrade is to be coated with an asphalt curing seal within 12 hours of final mixing. This is to ensure that the proper moisture in maintained during this shortened curing period.
- C. After the 48 hour curing period the contractor can begin constructing the aggregate base layer. If any rutting of the treated subgrade layer is detected, it must be repaired immediately. Rutting is to be checked by driving a grader over the subgrade 5 times. If the depth of the ruts is three eights (3/8) of an inch or greater, construction of the aggregate layer is to be halted for an additional 24 hour curing period. Repair of the subgrade is defined as refilling any ruts and cutting any bulges to ensure the depth of stabilized material is 8 inches and the subgrade is at proper grade. The asphalt curing seal must be reapplied over disturbed areas so that it completely covers the stabilized area.
- D. If after 4 days of curing the subgrade is continuing to rut in excess of ½ inch it can be tested using a Dynamic Cone Pentrometer (DCP) by an approved tester. If the DCP tests result show that the subgrade has achieved 80 psi of bearing strength, or have increased in strength by at least 15 psi the contractor will be allowed to continue aggregate layer construction. The Geotechnical Branch will conduct DCP readings at the start of construction to determine a baseline bearing strength to compare DCP readings to.
- E. If DCP results do not show the required strength the contractor can attempt checking the rutting depth or wait the full 7 day curing period.

F. The Geotechnical Branch will coordinate with the district construction personnel to ensure that the core samples of the subgrade are taken. The rate of the core sampling will be determined during subgrade construction to ensure enough are taken to be representative of the entire subgrade. These core will be tested for verification of the subgrade strength.

## 03-324.00

## Project Construction Scheduling Information

The contractor will have 40 Working Days to complete construction. Liquidated damages at the rate of \$2,400/day will be charged for each day or fraction of a day beyond the above stated number of working days that construction is not complete.

## SPECIAL NOTE

## **For Tree Removal**

## Todd County US-79/Old Railroad Lane Intersection Item No. 03-0324.00

# NO CLEARING OF TREES 5 INCHES OR GREATER (DIAMETER BREAST HEIGHT) FROM JUNE 1 TO JULY 31.

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



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

**RIGHT OF WAY CERTIFICATION** 

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

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relocation assistar	nce we	rerea	uired for this	s project.	juisitions Policy Act of	1970, as amended	d. No additional right of way or
				f Way Required an	d Cleared)		
All necessary right	of wa	y, inclu	uding contro	l of access rights whe	en applicable, have be	en acquired includ	ling legal and physical
possession. Trial o	r appe	al of c	ases may be	pending in court but	legal possession has	been obtained. Th	ere may be some improvements
remaining on the	right-o	f-way,	but all occu	pants have vacated t	he lands and improve	ments, and KYTC i	as physical possession and the
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adaquata replace	ons hav	/e bee	n relocated t	o decent, safe, and s	anitary housing or the	at KYTC has made a	available to displaced persons
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right of entry has	been o	btaine	d, the occup	ants of all lands and	improvements have y	acated, and KYTC	has physical possession and right
to remove, salvage	e, or de	emolis	h all improve	ements. Just Compen	sation has been paid	or deposited with	the court for most narcels Just
Compensation for	all per	nding	parcels will b	e paid or deposited v	with the court prior to	AWARD of constr	uction contract
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remaining occupat	nts hav	e had	replacemen	t housing made avail	able to them in accord	dance with 49 CFR	24,204. KYTC is hereby
be fully acquired	ization	10 80	vertise this p	roject for bids and to	proceed with bid let	ting even though t	he necessary right of way will not
court for some pai	rcels u	some ntil aft	occupants v	Will not be relocated,	and/or the just comp	ensation will not b	e paid or deposited with the
24.102(i) and will (	expedi	te con	poletion of a	acquisitions reloca	tions, and full payme	s outlined in 23 CFI	R 635.309(c)(3) and 49 CFR
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Right of Way Director			FHW	A			
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## UTILITIES AND RAIL CERTIFICATION NOTE

## TODD COUNTY FD04 110 954790 01U US79/GUTHRIE-HADENSVILLE REALIGN OLD RAILROAD LANE A & WIDEN US 79 FOR TURN LANES FOR INDUSTRIAL ACCESS 3-324.00

## **GENERAL PROJECT NOTE ON UTILITY PROTECTION**

\*The Contractor is fully responsible for protection of all utilities listed below\*

NOTE: DO NOT DISTURB THE FOLLOWING UTILITIES LOCATED WITHIN THE PROJECT DISTURB LIMITS

\*The Contractor is fully responsible for protection of all utilities listed below\*

#### THE FOLLOWING COMPANIES ARE RELOCATING/ADJUSTING THEIR UTILITIES WITHIN THE PROJECT LIMITS AND WILL BE COMPLETE PRIOR TO CONSTRUCTION

N/A

## THE FOLLOWING COMPANIES HAVE FACILITIES TO BE RELOCATED/ADJUSTED BY THE COMPANY OR THE COMPANY'S SUBCONTRACTOR AND IS TO BE COORDINATED WITH THE ROAD CONTRACT

**Pennyrile RECC** has existing and proposed aerial electric facilities at the following locations. Existing Mainline – From Rt. Begin Construction Sta. 4+00 continuing Rt. to Rt. End Construction Sta. 21+00 with crossings at Mainline Centerline Sta. 4+60 and Nelson Road Approach Centerline Sta. 80+35. Proposed Mainline – From Rt. Mainline Sta. 4+20 continuing Rt. to Rt. Mainline Sta. 19+55 with crossing at Nelson Road Approach Sta. 80+55. It is anticipated that the Pennyrile Electric will have their facilities relocated by June 30, 2019.

**Todd County Water District** has existing and proposed water facilities at the following locations. Existing Mainline From crossing Lt. to Rt. Mainline Centerline Sta. 6+35 to Rt. Sta. 6+35 continuing Rt. to Rt. End Construction Sta. 21+00 with crossing at Nelson Road Approach Centerline Sta. 80+45. Existing Railroad Lane Approach From Lt. Railroad Ln. Road Approach Sta. 54+65 crossing Approach Centerline Sta. 56+07 continuing to Rt. End Construction Sta. 60+00. Proposed Mainline From Lt. Begin Construction Sta. 4+00 to Lt. Sta. 11+80 crossing Mainline Centerline Sta. 11+80 To Rt. Sta. 11+80, with two waterlines continuing from both Lt. and Rt. Sta. 11+80 to ending Rt. Waterline at Sta. 18+00 but still continuing Lt. waterline to End Construction Sta. 21+00 and off project. Proposed Railroad Lane Approach From Rt. Approach Sta. 50+60 to Rt. End Construction Sta. 60+00 with crossing at Approach Centerline Sta. 50+60. Proposed Nelson Road Approach From Rt. Approach Sta. 80+65 to Rt. End Construction Sta. 81+36 with crossing Approach Centerline Sta. 80+65 to Rt. End Construction Sta. 81+36 with crossing Approach Centerline Sta. 80+65 to Rt. End Construction Sta. 81+36 with crossing Approach Centerline Sta. 80+65 to Rt. End Construction Sta. 81+36 with crossing Approach Centerline Sta. 80+65 to Rt. End Construction Sta. 81+36 with crossing Approach Centerline Sta. 80+70. It is anticipated that the Todd County Water District will have their facilities relocated by July 31, 2019.

## **UTILITIES AND RAIL CERTIFICATION NOTE**

## TODD COUNTY FD04 110 954790 01U US79/GUTHRIE-HADENSVILLE REALIGN OLD RAILROAD LANE A & WIDEN US 79 FOR TURN LANES FOR INDUSTRIAL ACCESS 3-324.00

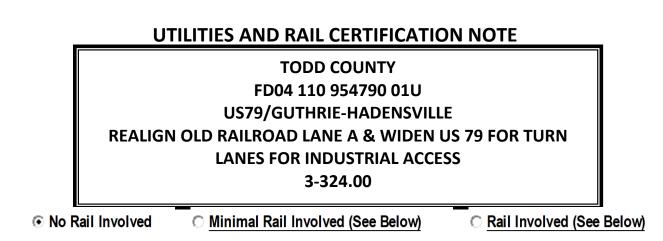
**ATT-KY** has existing and proposed telecommunication facilities at the following locations. Existing Mainline From Rt. Mainline Begin Construction Sta. 4+00 to Rt. Sta. 12+70 then crossing Mainline Centerline Sta. 12+70 to Lt. Sta. 12+70 continuing Lt. to Lt. End Construction Sta. 21+00 with crossing Nelson Road Approach Centerline Sta. 80+30. From Rt. Mainline Sta. 4+15 crossing Mainline Centerline Sta. 4+75 to Lt. Sta. 5+45. Existing Railroad Lane Approach From Lt. Approach Sta. 56+15 to Lt. End Construction Sta. 60+00. Proposed Mainline From Rt. Sta. 4+15 continuing Rt. to Nelson Road Approach crossing Approach Rt. to Lt. Sta. 81+00 to Rt. Mainline Sta. 12+95 crossing Mainline Centerline Sta. 13+50 to Lt. Sta. 13+50 then continuing Lt. Mainline to End Construction Sta. 21+00. Proposed Railroad Lane Approach From Lt. Mainline Sta. 13+50 along Rt. Approach to Rt. Sta. 54+35 aerial to Lt. Sta. 57+25 then to End Construction Sta. 60+00. It is anticipated that the AT&T-KY will have their facilities relocated by July 31, 2019.

The Department will consider submission of a bid as the Contractor's agreement to not make any claims for additional compensation due to delays or other conditions created by the operations of (Utility Company(s) Name). Working days will not be charged for those days on which work on (Utility Company(s) Name) facilities is delayed, as provided in the current edition of the <u>KY Standard Specifications for Road and Bridge Construction</u>. Should a difference of opinion arise as to the rights of the Contractor and others working within the limits of, or adjacent to the project, the KYTC Resident Engineer will decide as to the respective rights of the various parties involved in order to assure the completion of the Department's work in general harmony and in a satisfactory manner, and his decision shall be final and binding upon the Contractor.

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

N/A

#### THE FOLLOWING RAIL COMPANIES HAVE FACILITIES IN CONJUNCTION WITH THIS PROJECT AS NOTED



## **SPECIAL CAUTION NOTE – PROTECTION OF UTILITIES**

The contractor will be responsible for contacting all utility facility owners on the subject project to coordinate his activities. The contractor will coordinate his activities to minimize and, where possible, avoid conflicts with utility facilities. Due to the nature of the work proposed, it is unlikely to conflict with the existing utilities beyond minor facility adjustments. Where conflicts with utility facilities are unavoidable, the contractor will coordinate any necessary relocation work with the facility owner and Resident Engineer. The Kentucky Transportation Cabinet maintains the right to remove or alter portions of this contract if a utility conflict occurs.

The utility facilities as noted in the previous section(s) have been determined using data garnered by varied means and with varying degrees of accuracy: from the facility owners, a result of S.U.E., field inspections, and/or reviews of record drawings. The facilities defined may not be inclusive of all utilities in the project scope and are not Level A quality, unless specified as such. It is the contractor's responsibility to verify all utilities and their respective locations before excavating.

## **BEFORE YOU DIG**

The contractor is instructed to call 1-800-752-6007 to reach KY 811, the one-call system for information on the location of existing underground utilities. The call is to be placed a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor should be aware that owners of underground facilities are not required to be members of the KY 811 one-call Before-U-Dig (BUD) service. The contractor must coordinate excavation with the utility owners, including those whom do not subscribe to KY 811. It may be necessary for the contractor to contact the County Court Clerk to determine what utility companies have facilities in the area.

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

## UTILITIES AND RAIL CERTIFICATION NOTE

## TODD COUNTY FD04 110 954790 01U US79/GUTHRIE-HADENSVILLE REALIGN OLD RAILROAD LANE A & WIDEN US 79 FOR TURN LANES FOR INDUSTRIAL ACCESS 3-324.00

## AREA UTILITIES CONTACT LIST

Utility Company/Agency	Contact Name	Contact Information
Pennyrile Rural Electric Coop	Anthony Ervin	270-886-2555
АТТ-КҮ	Michael Forrest	270-519-5862
Todd County Water District		
McGhee Engineering	Chris Wilcutt	270-483-9985

# ΝΟΤΙCΕ

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

**PROJECT:** Todd County, Item No. 3-324 Realign Old Railroad Lane and Widen US79 For turn lanes/Industrial access

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

Station 54+75 – to	Construct a 13' X 6' reinforced concrete box culvert in order to realign
Station 55+15	Railroad Lane with KY 79. The intermittent stream a U.T. to Spring Creek
See sheet R7	will have impacts below the normal high water mark. The estimated area of
	impact is 143 linear feet and 0.04 acres. The drainage area at the culvert is
	722 acres.
	Lat 36.664212, Long -87.169670

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

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

To more readily expedite construction, the contractor may elect to alter the design or perform the

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



MATTHEW G. BEVIN GOVERNOR CHARLES G. SNAVELY Secretary

ENERGY AND ENVIRONMENT CABINET Department for Environmental Protection

R. BRUCE SCOTT

300 Sower Boulevard FRANKFORT, KENTUCKY 40601

## General Certification--Nationwide Permit # 14 Linear Transportation Projects

This General Certification is issued <u>March 19, 2017</u>, in conformity with the requirements of Section 401 of the Clean Water Act of 1977, as amended (33 U.S.C. §1341), as well as Kentucky Statute KRS 224.16-050.

For this and all nationwide permits, the definition of surface water is as per 401 KAR 10:001 Chapter 10, Section 1(80): Surface Waters means those waters having well-defined banks and beds, either constantly or intermittently flowing; lakes and impounded waters; marshes and wetlands; and any subterranean waters flowing in well-defined channels and having a demonstrable hydrologic connection with the surface. Lagoons used for waste treatment and effluent ditches that are situated on property owned, leased, or under valid easement by a permitted discharger are not considered to be surface waters of the commonwealth.

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

For all other operations, the Commonwealth of Kentucky hereby certifies under Section 401 of the Clean Water Act (CWA) that it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 10, established pursuant to Sections 301, 302, 304, 306 and 307 of the CWA, will not be violated for the activity covered under NATIONWIDE PERMIT 14, namely Linear Transportation Projects, provided that the following conditions are met:

- 1. The activity will not occur within surface waters of the Commonwealth identified by the Kentucky Division of Water as Outstanding State or National Resource Water, Cold Water Aquatic Habitat, or Exceptional Waters.
- 2. The activity will not occur within surface waters of the Commonwealth identified as perpetually-protected (e.g. deed restriction, conservation easement) mitigation sites.
- 3. The activity will impact less than 1/2 acre of wetland/marsh.





## General Certification--Nationwide Permit # 14 Linear Transportation Projects Page 2

- 4. The activity will impact less than 300 linear feet of surface waters of the Commonwealth. Stream realignment greater than 100 feet and in-stream stormwater detention/retention basins are not covered under this general water quality certification.
- 5. For complete linear transportation projects, all impacts shall not exceed a cumulative length of 500 linear feet within each Hydrologic Unit Code (HUC) 14.
- 6. Any crossings must be constructed in a manner that does not impede natural water flow.
- 7. Stream impacts covered under this General Water Quality Certification and undertaken by those persons defined as an agricultural operation under the Agricultural Water Quality Act must be completed in compliance with the Kentucky Agricultural Water Quality Plan (KWQP).
- 8. The Kentucky Division of Water may require submission of a formal application for an individual certification for any project if the project has been determined to likely have a significant adverse effect upon water quality or degrade the waters of the Commonwealth so that existing uses of the water body or downstream waters are precluded.
- 9. Activities that do not meet the conditions of this General Water Quality Certification require an Individual Section 401 Water Quality Certification.
- 10. Activities qualifying for coverage under this General Water Quality Certification are subject to the following conditions:
  - Projects requiring in-stream stormwater detention/retention basins shall require individual water quality certifications.
  - Erosion and sedimentation pollution control plans and Best Management Practices must be designed, installed, and maintained in effective operating condition at all times during construction activities so that violations of state water quality standards do not occur (401 KAR 10:031 Section 2 and KRS 224.70-100).
  - Sediment and erosion control measures, such as check-dams constructed of any material, silt fencing, hay bales, etc., shall not be placed within surface waters of the Commonwealth, either temporarily or permanently, without prior approval by the Kentucky Division of Water's Water Quality Certification Section. If placement of sediment and erosion control measures in surface waters is unavoidable, design and placement of temporary erosion control measures shall not be conducted in such a manner that may result in instability of streams that are adjacent to,

## General Certification--Nationwide Permit # 14 Linear Transportation Projects Page 3

upstream, or downstream of the structures. All sediment and erosion control devices shall be removed and the natural grade restored within the completion timeline of the activities.

- Measures shall be taken to prevent or control spills of fuels, lubricants, or other toxic materials used in construction from entering the watercourse.
- Removal of riparian vegetation in the utility line right-of-way shall be limited to that necessary for equipment access.
- To the maximum extent practicable, all in-stream work under this certification shall be performed under low-flow conditions.
- Heavy equipment, e.g. bulldozers, backhoes, draglines, etc., if required for this project, should not be used or operated within the stream channel. In those instances in which such in-stream work is unavoidable, then it shall be performed in such a manner and duration as to minimize turbidity and disturbance to substrates and bank or riparian vegetation.
- Any fill shall be of such composition that it will not adversely affect the biological, chemical, or physical properties of the receiving waters and/or cause violations of water quality standards. If rip-rap is utilized, it should be of such weight and size that bank stress or slump conditions will not be created because of its placement.
- If there are water supply intakes located downstream that may be affected by increased turbidity and suspended solids, the permittee shall notify the operator when such work will be done.
- Should evidence of stream pollution or jurisdictional wetland impairment and/or violations of water quality standards occur as a result of this activity (either from a spill or other forms of water pollution), the KDOW shall be notified immediately by calling (800) 928-2380.

Non-compliance with the conditions of this general certification or violation of Kentucky state water quality standards may result in civil penalties.

## 2017 Nationwide Permits Regional and Permit-Specific Conditions COMMONWEALTH OF KENTUCKY

These regional conditions are in addition to, but do not supersede, the requirements in the Federal Register (Volume 82, No. 4 of January 6, 2017, pp 1860).

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

- 1. For activities that would impact Outstanding State or National Resource Waters (OSNRWs), Exceptional Waters (EWs), Coldwater Aquatic Habitat Waters (CAHs) under the Endangered Species Act for the NWPs listed below, a Pre-Construction Notification (PCN) will be required to the Corps. The Corps will coordinate with the appropriate resource agencies (see attached list) on these NWPs (Section 404 activities), for impacts to these waters.
  - NWP 3 (Maintenance)
  - NWP 4 (Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities)
  - NWP 5 (Scientific Measurement Devices)
  - NWP 6 (Survey Activities)
  - NWP 7 (Outfall Structures and Associated Intake Structures)
  - NWP 12 (Utility Line Activities)
  - NWP 13 (Bank Stabilization)
  - NWP 14 (Linear Transportation Projects)
  - NWP 15 (U.S. Coast Guard Approved Bridges)
  - NWP 16 (Return Water from Upland Contained Disposal Areas)
  - NWP 17 (Hydropower Projects)
  - NWP 18 (Minor Discharges)
  - NWP 19 (Minor Dredging)
  - NWP 20 (Response Operations for Oil or Hazardous Substances)
  - NWP 21 (Surface Coal Mining Activities)
  - NWP 22 (Removal of Vessels)
  - NWP 23 (Approved Categorical Exclusions)
  - NWP 25 (Structural Discharges)
  - NWP 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities)
  - NWP 29 (Residential Developments)
  - NWP 30 (Moist Soil Management for Wildlife)
  - NWP 31 (Maintenance of Existing Flood Control Facilities)
  - NWP 32 (Completed Enforcement Actions)
  - NWP 33 (Temporary Construction, Access, and Dewatering)
  - NWP 34 (Cranberry Production Activities)
  - NWP 36 (Boat Ramps)
  - NWP 37 (Emergency Watershed Protection and Rehabilitation)
  - NWP 38 (Cleanup of Hazardous and Toxic Waste)
  - NWP 39 (Commercial and Institutional Developments)
  - NWP 40 (Agricultural Activities)

NWP 41 (Reshaping Existing Drainage Ditches)
NWP 42 (Recreational Facilities)
NWP 43 (Stormwater Management Facilities)
NWP 43 (Stormwater Management Facilities)
NWP 44 (Mining Activities)
NWP 45 (Repair of Uplands Damaged by Discrete Events)
NWP 46 (Discharges in Ditches)
NWP 48 (Commercial Shellfish Aquaculture Activities)
NWP 49 (Coal Remining Activities)
NWP 50 (Underground Coal Mining Activities)
NWP 51 (Land-Based Renewable Energy Generation Facilities)
NWP 52 (Water-Based Renewable Energy Generation Pilot Projects)
NWP 53 (Removal of Low-Head Dams)
NWP 54 (Living Shorelines)

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

NWP 3 (Maintenance)
NWP 7 (Outfall Structures and Associated Intake Structures)
NWP 12 (Utility Line Activities)
NWP 14 (Linear Transportation Projects)
NWP 29 (Residential Developments)
NWP 39 (Commercial and Institutional Developments)
NWP 40 (Agricultural Activities)
NWP 41 (Reshaping Existing Drainage Ditches)
NWP 42 (Recreational Facilities)
NWP 43 (Stormwater Management Facilities)
NWP 44 (Mining Activities)
NWP 51 (Land-Based Renewable Energy Generation Facilities)
NWP 52 (Water-Based Renewable Energy Generation Pilot Projects)
NWP 53 (Removal of Low-Head Dams)

3. For activities in all "waters of the U.S." for the NWPs listed below, a PCN will be required to the Corps. The Corps will coordinate with the appropriate resource agencies (see attached list) on these NWPs:

NWP 21 (Surface Coal Mining Activities)NWP 27 (Aquatic Habitat Restoration, Establishment & Enhancement Activities)NWP 49 (Coal Remining Activities)NWP 50 (Underground Coal Mining Activities)

- 4. Nationwide Permit No. 14 Linear Transportation Projects.
  - (a) New road alignments or realignments are limited to a permanent loss of 500 linear feet of intermittent or perennial stream length at each crossing. Road crossings with permanent losses greater than 500 linear feet of intermittent or perennial stream associated with new

alignments or realignments will be evaluated as an individual permit (i.e., a Letter of Permission or as a Standard Individual Permit).

- (b) In addition to the notification requirements contained in NWP 14, the permittee must submit a PCN to the district engineer prior to commencing the activity for the permanent loss of greater than 300 feet of ephemeral, intermittent and perennial stream of all "waters of the U.S." (See General Condition 32 and the definition of "loss of waters of the United States" in the Nationwide Permits for further information.)
- 5. Notification in accordance with General Condition 32 is required to the Corps for all activities which are subject to jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- 6. All applications are required as both a paper copy and in an electronic media format, including electronic mail or compact disc.
- 7. For all activities, the applicant shall review the U.S. Fish and Wildlife Service's IPaC website: <u>http://ecos.fws.gov/ipac</u> to determine if the activity might affect threatened and/or endangered species or designated critical habitat. If federally-listed species or designated critical habitat are identified, a PCN in accordance with General Condition 18 and 32 would be triggered and the official species list generated from the IPaC website must be submitted with the PCN.

Further information:

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

Information on Pre-Construction Notification (PCN) can be found at NWP General Condition No. 32 in the Federal Register (Volume 81, No. 105 of June 1, 2017, pp 35211).

## **COORDINATING RESOURCE AGENCIES**

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

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

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

Commissioner Department of Fish and Wildlife Resources #1 Game Farm Road Frankfort, Kentucky 40601

Executive Director and State Historic Preservation Officer Kentucky Heritage Council 300 Washington Street Frankfort, Kentucky 40601

## ADDITIONAL COORDINATING RESOURCE AGENCY FOR NWPS 21, 49, AND 50

Kentucky Department for Natural Resources Division of Mine Permits 300 Sower Boulevard Frankfort, KY 40601

## <u>Terms for Nationwide Permit No. 14</u> <u>Linear Transportation Projects</u>

Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

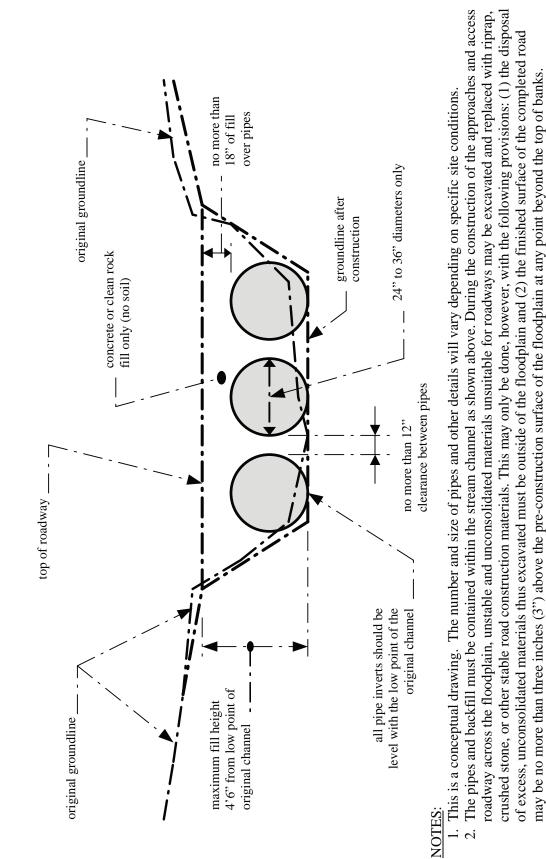
This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

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

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

<u>Note 2</u>: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under section 404(f) of the Clean Water Act (see 33 CFR 323.4).

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



**ATTACHMENT 1** 

LOW-WATER CROSSING STANDARD DRAWING Not to Scale

## **SPECIAL NOTE**

## Filing of eNOI for KPDES Construction Stormwater Permit

County: Todd	Route: US 79	
Item No.: 3-0324.00	KDOW Submittal ID:	130911

Project Description: Realign Old Railroad Lane and widen US 79

A Notice of Intent for obtaining coverage under the Kentucky Pollutant Discharge Elimination System (KPDES) General Permit for Stormwater Discharges Associated with Construction Activities (KYR10) has been drafted, copy of which is attached. Upon award, the Contractor will be identified in Section III of the form as the "Building Contractor" and it will be submitted for approval to the Kentucky Division of Water. The Contractor shall be responsible for advancing the work in a manner that is compliant with all applicable and appropriate KYTC specifications for sediment and erosion control as well as meeting the requirements of the KYR10 permit and the KDOW.

If there are any questions regarding this note, please contact David Waldner, Director, Division of Environmental Analysis, TCOB, 200 Mero Street, Frankfort, KY 40622, Phone: (502) 564-7250.



TODD COUNTY FD07 110 0079 00

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10 0079 002-003	Kentucky EEC eForms Page 34
Total Number of Acres in Project ( </td <td>Total Number of Acres Disturbed:(√)</td>	Total Number of Acres Disturbed:(√)
4.98	4.98
Anticipated Start Date:(√)	Anticipated Completion Date:(/)
b. For common plans of development provide the following information	
Total Number of Acres in Project:(√)	Total Number of Acres Disturbed:(✓)
# Acre(s)	# Acre(s)
Number of individual lots in development, if applicable:(√)	Number of lots in development:(/)
# lol(s)	# lot(s)
Total acreage of lots intended to be developed:(√)	Number of acres intended to be disturbed at any one time:( </td
Project Acres	Disturbed Acres
Anticipated Start Date:(/)	Anticipated Completion Date:(√)
List Building Contractor(s) at the time of Application: (*)	
Company Name	
*	•
SECTION IV - IF THE PERMITTED SITE DISCHARGES TO A WATER BODY THE F	
Discharge Point(s):	
Unnamed Tributary? Latitude Longitude Receivir 1 No 36,6621814 -87,169685 Spring (	ng Water Name Delete
2 No 36,6622332 -87,169737 Spring (	
3 Yes 36,6632414 +87,16840 Spring (	
4 Yes 36.663309 -87.16833 Spring (	Creek Delete
5 No 36.6650796 -87.169382 Spring (	
6 No 36.6655072 -87.169899 Spring ( +	Creek Delete
SECTION V - IF THE PERMITTED SITE DISCHARGES TO A MS4 THE FOLLOWIN	G INFORMATION IS REQUIRED (2)
Name of MS4:	•
Date of application/notification to the MS4 for construction site permit coverage:	Discharge Point(s):(*)
Date	Latitude Longitude +
SECTION VI WILL THE PROJECT REQUIRE CONSTRUCTION ACTIVITIES IN A	WALEK BUDY OR THE RIPARIAN ZONE?
Will the project require construction activities in a water body or the riparian zone?: (*)	No
If Yes, describe scope of activity: (√)	describe scope of activity
Is a Clean Water Act 404 permit required?:(*)	No

TODD COUNTY	
FD07 110 0079 002-003	

6401		
Kentucky	EEC	eForms

SECTION VII - NOI PREPAREI	R INFORMATION							
First Name:(*) Gavin	M.L.:	Last Name:(*) Hodges			Company Name:(*) KYTC Department of Highways			
Mailing Address:(*) City:(*) 900 Morgantown Road Bowling C		ireen	_	State:(*)         Zip:(*)           Kentucky         •         42101				
eMail Address:(*) Gavin Hodges@ky.gov				Business Ph		Alternate Phone: Phone		
SECTION VIII - ATTACHMENT	s							
Facility Location Map:(*)				Upload file				
Supplemental Information:				Upload file	file			
SECTION IX CERTIFICATION	1							
I certify under penalty of law tha qualified personnel properly gat responsible for gathering the info submitting false information, incl	ner and evaluate the ini ormation submitted is, t	formation submitt to the best of my i	ed. Based on i knowledge and	my inquiry of the d belief, true, acc	person or persons who	manage the system	, or those persons directly	
Signature:(*)			·		Title:(*)			
Gavin Hodges				Environmental Coordinator				
First Name:(*) Gavin			M.E.S.		Last Name:(*) Hodges			
eMail Address (*) Business Phor Gavin.Hodges@ky.gov 270-746-789				Alternate Phone: Phone		Signature Date:(*) 7/16/2018		

#### Contract ID: 191212 Page 36 of 72

## KyTC BMP Plan for Project CID 03-324



# Kentucky Transportation Cabinet

# Highway District 3 (1)

## And

(2), Construction

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

**Groundwater protection plan** 

**For Highway Construction Activities** 

For Item No. 03-0324.00 Realignment and Widening of US 79 Todd County

Project: CID ## - #### (2)

KPDES BMP Plan Page 1 of 14

Revised 3/4/2016

# **Project information**

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

- 1. Owner Kentucky Transportation Cabinet, **District 3 (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) US 79
- 6. Latitude/Longitude (project mid-point) 36° 39' 48" N / -87° 10' 7" W (1)
- 7. County (project mid-point) Todd (1)
- 8. Project start date (date work will begin): (2)
- 9. Projected completion date: (2)

# A. Site description:

- Nature of Construction Activity (from letting project description) –Realign old railroad lane and widen US 79 for turn lane for industrial access. (1)
- 2. Order of major soil disturbing activities (2) and (3)
- 3. Projected volume of material to be moved **4,505 cubic yards (1)**
- 4. Estimate of total project area (acres) **4.98 acres (1)**
- 5. Estimate of area to be disturbed (acres) **4.98 acres (1)**
- 6. Post construction runoff coefficient will be included in the project drainage folder. **Persons needing information pertaining to the runoff coefficient will contact the resident engineer to request this information.** (1)
- Data describing existing soil condition Well drained and moderately drained: nearly level to sloping, deep soils that are loamy and have dominantly a loamy subsoil. (1) & (2)
- Data describing existing discharge water quality (if any) None known. (1) & (2)
- 9. Receiving water name Spring Creek (1)

### 10. TMDLs and Pollutants of Concern in Receiving Waters: There are no TMDLs for Spring Creek at this location according to the KDOW 2016 Integrated Report.

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.

KPDES BMP Plan Page 3 of 14

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:**

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

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

- 2. Following award of the contract, the contractor and resident engineer will annotate the erosion control sheets showing location and type of BMPs for each of the DDAs that will be disturbed at the outset of the project. This annotation will be accompanied by an order of work that reflects the order or sequence of major soil moving activities. The remaining DDAs are to be designated as "Do Not Disturb" until the contractor and resident engineer prepare the plan for BMPs to be employed. The initial BMP's shall be for the first phase (generally Clearing and Grubbing) and shall be modified as needed as the project changes phases. The BMP Plan will be modified to reflect disturbance in additional DDA's as the work progresses. <u>All DDA's will have adequate BMP's in place before being disturbed.</u>
- 3. As DDAs are prepared for construction, the following will be addressed for the project as a whole or for each DDA as appropriate:
  - Construction Access This is the first land-disturbing activity. As soon as construction begins, bare areas will be stabilized with gravel and temporary mulch and/or vegetation.

KPDES BMP Plan Page 4 of 14

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

KPDES BMP Plan Page 5 of 14

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

# C. Other Control Measures

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

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

3. Hazardous Waste

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

4. Spill Prevention

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

# Good Housekeeping:

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

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

### Hazardous Products:

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

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

### The following product-specific practices will be followed onsite:

Petroleum Products:

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

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

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

### > Fertilizers:

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

### > Paints:

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

### Concrete Truck Washout:

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

# > Spill Control Practices

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

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

# D. Other State and Local Plans

This BMP plan shall include any requirements specified in sediment and erosion control plans, storm water management plans or permits that have been approved by other state or local officials. Upon submittal of the NOI, other requirements for surface water protection are incorporated by reference into and are enforceable under this permit (even if they are not specifically included in this BMP plan). This provision does not apply to master or comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit issued for the construction site by state or local officials. **None** (1)

# E. Maintenance

- 1. The BMP plan shall include a clear description of the maintenance procedures necessary to keep the control measures in good and effective operating condition.
- Maintenance of BMPs during construction shall be a result of weekly and post rain event inspections with action being taken by the contractor to correct deficiencies.
- Post Construction maintenance will be a function of normal highway maintenance operations. Following final project acceptance by the cabinet, district highway crews will be responsible for identification and correction of deficiencies regarding ground cover and cleaning of storm KPDES BMP Plan Page 9 of 14

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. None.

# F. Inspections

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

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

# G. Non – Storm Water discharges

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

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

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

# H. Groundwater Protection Plan (3)

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

Contractors statement: (3)

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

\_\_\_\_\_2. (e) land treatment or land disposal of a pollutant;

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

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

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

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

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

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

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

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

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

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

Contractor and Resident Engineer Plan certification

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

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

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or

KPDES BMP Plan Page 12 of 14

persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Further, this plan complies with the requirements of 401 KAR 5:037. By this certification, the undersigned state that the individuals signing the plan have reviewed the terms of the plan and will implement its provisions as they pertain to ground water protection.

Resident Engineer and Contractor Certification:

(2) Resident Engineer signature

Signed \_\_\_\_\_title\_\_\_\_\_ Typed or printed name<sup>2</sup>

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, Surface Water Permits Branch, Division of Water, 300 Sower Boulevard, 3<sup>rd</sup> Floor, 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, Surface Water Permits Branch, Division of Water, 300 Sower Boulevard, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Reference the Project Control Number (PCN) and KPDES number when one has been issued.

# **Sub-Contractor Certification**

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

Subcontractor

Name: Address:

KPDES BMP Plan Page 13 of 14

Address:

Phone:

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

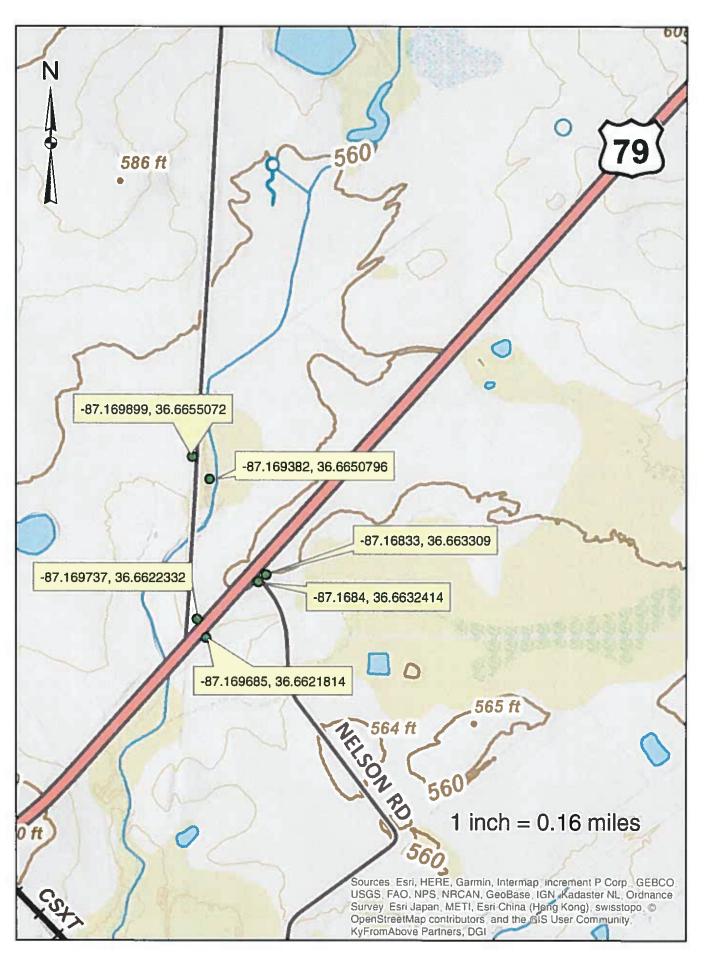
I certify under penalty of law that I understand the terms and conditions of the general Kentucky Pollutant Discharge Elimination System permit that authorizes the storm water discharges, the BMP plan that has been developed to manage the quality of water to be discharged as a result of storm events 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, Surface Water Permits Branch, Division of Water, 300 Sower Boulevard, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Reference the Project Control Number (PCN) and KPDES number when one has been issued.

TODD COUNTY FD07 110 0079 002-003

# 03-0324 Todd County US-79/ Old Railroad Lane Intersection



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# PART II

# SPECIFICATIONS AND STANDARD DRAWINGS

### SPECIFICATIONS REFERENCE

Any reference in the plans or proposal to previous editions of the *Standard Specifications* for Road and Bridge Construction and Standard Drawings are superseded by Standard Specifications for Road and Bridge Construction, Edition of 2012 and Standard Drawings, Edition of 2016.

# SUPPLEMENTAL SPECIFICATIONS

The contractor shall use the Supplemental Specifications that are effective at the time of letting. The Supplemental Specifications can be found at the following link:

http://transportation.ky.gov/Construction/Pages/Kentucky-Standard-Specifications.aspx

#### SPECIAL NOTE FOR PORTABLE CHANGEABLE MESSAGE SIGNS

This Special Note will apply when indicated on the plans or in the proposal.

**1.0 DESCRIPTION.** Furnish, install, operate, and maintain variable message signs at the locations shown on the plans or designated by the Engineer. Remove and retain possession of variable message signs when they are no longer needed on the project.

#### 2.0 MATERIALS.

**2.1 General.** Use LED Variable Message Signs Class I, II, or III, as appropriate, from the Department's List of Approved Materials.

Unclassified signs may be submitted for approval by the Engineer. The Engineer may require a daytime and nighttime demonstration. The Engineer will make a final decision within 30 days after all required information is received.

#### 2.2 Sign and Controls. All signs must:

- 1) Provide 3-line messages with each line being 8 characters long and at least 18 inches tall. Each character comprises 35 pixels.
- Provide at least 40 preprogrammed messages available for use at any time. Provide for quick and easy change of the displayed message; editing of the message; and additions of new messages.
- 3) Provide a controller consisting of:
  - a) Keyboard or keypad.
  - b) Readout that mimics the actual sign display. (When LCD or LCD type readout is used, include backlighting and heating or otherwise arrange for viewing in cold temperatures.)
  - c) Non-volatile memory or suitable memory with battery backup for storing pre-programmed messages.
  - d) Logic circuitry to control the sequence of messages and flash rate.
- 4) Provide a serial interface that is capable of supporting complete remote control ability through land line and cellular telephone operation. Include communication software capable of immediately updating the message, providing complete sign status, and allowing message library queries and updates.
- 5) Allow a single person easily to raise the sign to a satisfactory height above the pavement during use, and lower the sign during travel.
- 6) Be Highway Orange on all exterior surfaces of the trailer, supports, and controller cabinet.
- 7) Provide operation in ambient temperatures from -30 to + 120 degrees Fahrenheit during snow, rain and other inclement weather.
- 8) Provide the driver board as part of a module. All modules are interchangeable, and have plug and socket arrangements for disconnection and reconnection. Printed circuit boards associated with driver boards have a conformable coating to protect against moisture.
- 9) Provide a sign case sealed against rain, snow, dust, insects, etc. The lens is UV stabilized clear plastic (polycarbonate, acrylic, or other approved material) angled to prevent glare.
- 10) Provide a flat black UV protected coating on the sign hardware, character PCB, and appropriate lens areas.
- 11) Provide a photocell control to provide automatic dimming.

- 12) Allow an on-off flashing sequence at an adjustable rate.
- 13) Provide a sight to aim the message.
- 14) Provide a LED display color of approximately 590 nm amber.
- 15) Provide a controller that is password protected.
- 16) Provide a security device that prevents unauthorized individuals from accessing the controller.
- 17) Provide the following 3-line messages preprogrammed and available for use when the sign unit begins operation:

/KEEP/RIGHT/⇒⇒⇒/ /KEEP/LEFT/⇐⇐⇐/ /LOOSE/GRAVEL/AHEAD/ /RD WORK/NEXT/\*\*MILES/ /TWO WAY/TRAFFIC/AHEAD/ /PAINT/CREW/AHEAD/ /REDUCE/SPEED/\*\*MPH/ /BRIDGE/WORK/\*\*\*0 FT/ /MAX/SPEED/\*\*MPH/ /SURVEY/PARTY/AHEAD/ /MIN/SPEED/\*\*MPH/ /ICY/BRIDGE/AHEAD/ /ONE LANE/BRIDGE/AHEAD/ /ROUGH/ROAD/AHEAD/ /MERGING/TRAFFIC/AHEAD/ /NEXT/\*\*\*/MILES/ /HEAVY/TRAFFIC/AHEAD/ /SPEED/LIMIT/\*\*MPH/ /BUMP/AHEAD/ /TWO/WAY/TRAFFIC/

\*Insert numerals as directed by the Engineer. Add other messages during the project when required by the Engineer.

- 2.3 Power.
- 1) Design solar panels to yield 10 percent or greater additional charge than sign consumption. Provide direct wiring for operation of the sign or arrow board from an external power source to provide energy backup for 21 days without sunlight and an on-board system charger with the ability to recharge completely discharged batteries in 24 hours.

**3.0 CONSTRUCTION.** Furnish and operate the variable message signs as designated on the plans or by the Engineer. Ensure the bottom of the message panel is a minimum of 7 feet above the roadway in urban areas and 5 feet above in rural areas when operating. Use Class I, II, or III signs on roads with a speed limit less than 55 mph. Use Class I or II signs on roads with speed limits 55 mph or greater.

Maintain the sign in proper working order, including repair of any damage done by others, until completion of the project. When the sign becomes inoperative, immediately repair or replace the sign. Repetitive problems with the same unit will be cause for rejection and replacement.

Use only project related messages and messages directed by the Engineer, unnecessary messages lessen the impact of the sign. Ensure the message is displayed in either one or 2 phases with each phase having no more than 3 lines of text. When no message is needed, but it is necessary to know if the sign is operable, flash only a pixel.

When the sign is not needed, move it outside the clear zone or where the Engineer directs. Variable Message Signs are the property of the Contractor and shall be removed from the project when no longer needed. The Department will not assume ownership of these signs.

4.0 MEASUREMENT. The final quantity of Variable Message Sign will be

1I

the actual number of individual signs acceptably furnished and operated during the project. The Department will not measure signs replaced due to damage or rejection.

**5.0 PAYMENT.** The Department will pay for the Variable Message Signs at the unit price each. The Department will not pay for signs replaced due to damage or rejection. Payment is full compensation for furnishing all materials, labor, equipment, and service necessary to, operate, move, repair, and maintain or replace the variable message signs. The Department will make payment for the completed and accepted quantities under the following:

CodePay Item02671Portable Changeable Message Sign

Effective June 15, 2012

Pay Unit

Each

### SPECIAL NOTE FOR BARCODE LABEL ON PERMANENT SIGNS

**1.0 DESCRIPTION.** Install barcode label on sheeting signs. Section references herein are to the Department's 2012 Standard Specifications for Road and Bridge Construction.

**2.0 MATERIALS.** The Department will provide the Contractor with a 2 inch x 1 inch foil barcode label for each permanent sheeting sign. A unique number will be assigned to each barcode label.

The Contractor shall contact the Operations and Pavement Management Branch in the Division of Maintenance at (502) 564-4556 to obtain the barcode labels.

**3.0 CONSTRUCTION.** Apply foil barcode label in the lower right quadrant of the sign back. Signs where the bottom edge is not parallel to the ground, the lowest corner of the sign shall serve as the location to place the barcode label. The barcode label shall be placed no less than one-inch and no more than three inches from any edge of the sign. The barcode must be placed so that the sign post does not cover the barcode label.

Barcodes shall be applied in an indoor setting with a minimum air temperature of 50°F or higher. Prior to application of the barcode label, the back of the sign must be clean and free of dust, oil, etc. If the sign is not clean, an alcohol swab shall be used to clean the area. The area must be allowed to dry prior to placement of the barcode label.

Data for each sign shall include the barcode number, MUTCD reference number, sheeting manufacturer, sheeting type, manufacture date, color of primary reflective surface, installation date, latitude and longitude using the North American Datum of 1983 (NAD83) or the State Plane Coordinates using an x and y ordinate of the installed location.

Data should be provided electronically on the TC 71-229 Sign Details Information and TC 71-230 Sign Assembly Information forms. The Contractor may choose to present the data in a different format provided that the information submitted to the Department is equivalent to the information required on the Department TC forms. The forms must be submitted in electronic format regardless of which type of form is used. The Department will not accept PDF or handwritten forms. These completed forms must be submitted to the Department prior to final inspection of the signs. The Department will not issue formal acceptance for the project until the TC 71-229 and TC-230 electronic forms are completed for all signs and sign assemblies on the project.

**4.0 MEASUREMENT.** The Department will measure all work required for the installation of the barcode label and all work associated with completion and submission of the sign inventory data (TC 71-229 and TC 71-230).

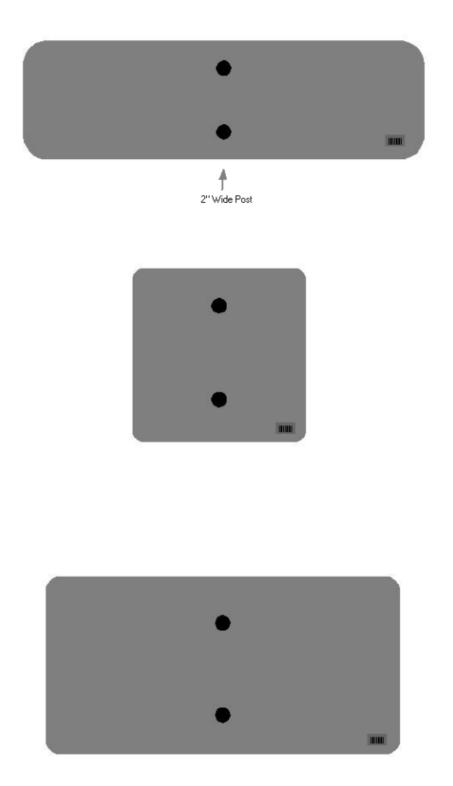
The installation of the permanent sign will be measured in accordance to Section 715.

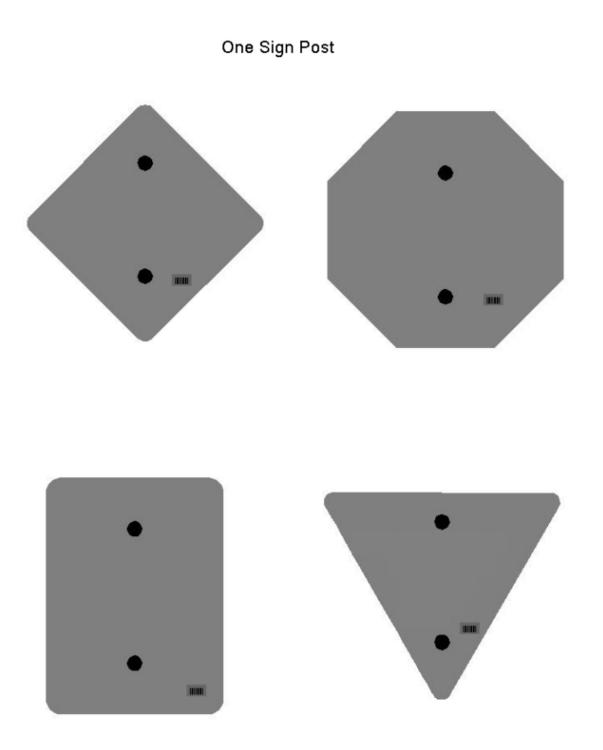
**5.0 PAYMENT.** The Department will make payment for the completed and accepted quantities under the following:

Code	Pay Item	<u>Pay Unit</u>
24631EC	Barcode Sign Inventory	Each

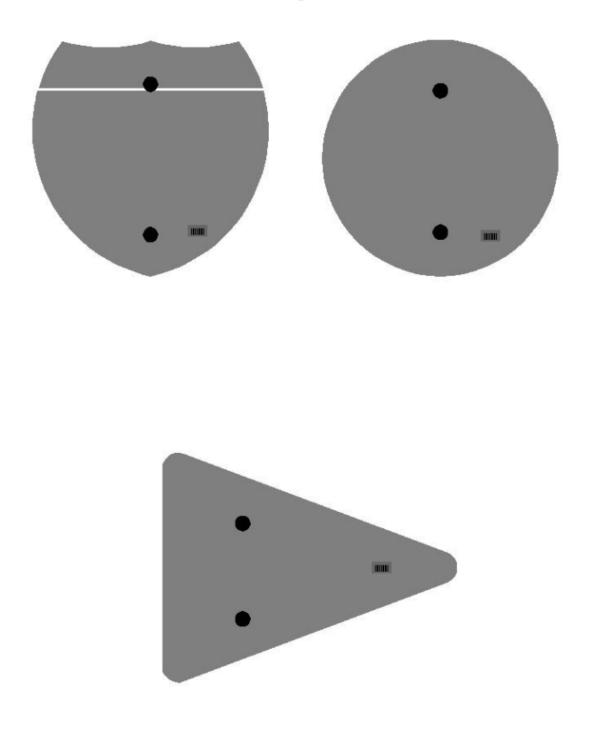
The Department will not make payment for this item until all barcodes are installed and sign inventory is complete on every permanent sign installed on the project. The Department will make payment for installation of the permanent sign in accordance to Section 715. The Department will consider payment as full compensation for all work required under this special note.

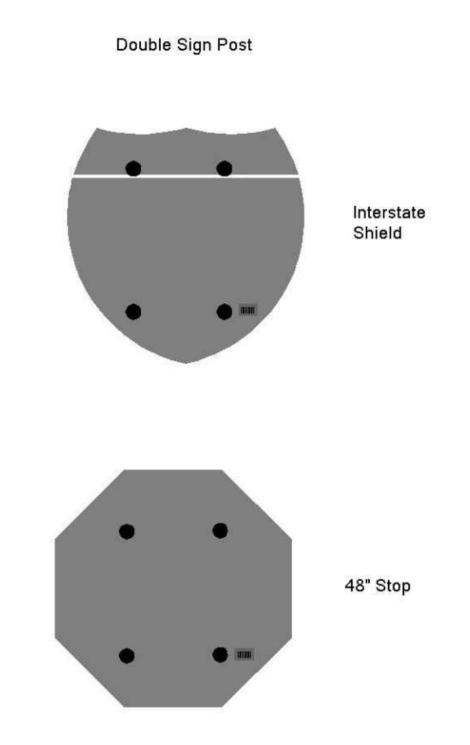
# One Sign Post



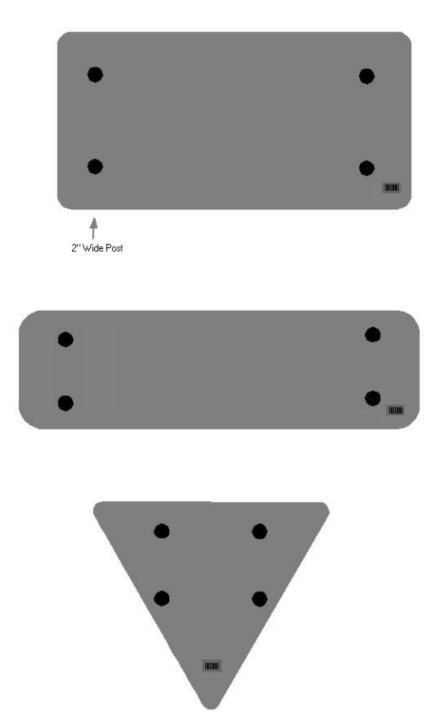


# One Sign Post





# 2 Post Signs



# 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)

#### 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 (forty and above); or limit, segregate, or classify his employees in any way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, national origin, sex, disability or age forty (40) and over. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

2. The contractor shall not print or publish or cause to be printed or published a notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by the employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, except that such a notice or advertisement may indicate a preference, limitation, or specification based on religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, when religion, national origin, sex, or age forty (40) and over, or because the person is a qualified individual with a disability, is a bona fide occupational qualification for employment. 3. If the contractor is in control of apprenticeship or other training or retraining, including on-the-job training programs, he shall not discriminate against an individual because of his race, color, religion, national origin, sex, disability or age forty (40) and over, in admission to, or employment in any program established to provide apprenticeship or other training.

4. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment. The contractor will take such action with respect to any subcontract or purchase order as the administrating agency may direct as a means of enforcing such provisions, including sanctions for non-compliance.

Revised: January 25, 2017

### **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 (7) provides:

No present or former public servant shall, within six (6) months 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, or is regulated by, the state in matters in which he was directly involved during the last thirty-six (36) months of his tenure. This provision shall not prohibit an individual from returning to the same business, firm, occupation, or profession in which he was involved prior to taking office or beginning his term of employment, or for which he received, prior to his state employment, a professional degree or license, provided that, for a period of six (6) months, he personally refrains from working on any matter in which he was directly involved during the last thirtysix (36) months of his tenure in state government. This subsection shall not prohibit the performance of ministerial functions, including but not limited to filing tax returns, filing applications for permits or licenses, or filing incorporation papers, nor shall it prohibit the former officer or public servant from receiving public funds disbursed through entitlement programs.

KRS 11A.040 (9) states:

A former public servant shall not represent a person or business before a state agency in a matter in which the former public servant was directly involved during the last thirty-six (36) months of his tenure, for a period of one (1) year after the latter of:

- a) The date of leaving office or termination of employment; or
- b) The date the term of office expires to which the public servant was elected.

This law is intended to promote public confidence in the integrity of state government and to declare as public policy the idea that state employees should view their work as a public trust and not 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, 3 Fountain Place, Frankfort, Kentucky 40601; telephone (502) 564-7954.

Revised: January 27, 2017

### 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: <u>https://www.eProcurement.ky.gov</u>.

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** or by phone at 502-564-2874.

	FEDERAL MINIMU \$7.25 BEGINNING JULY 24, 20	PER HOUR	
OVERTIME PAY	At least $1\frac{1}{2}$ times your regular rate of pay	for all hours worked over 40 in	a workweek.
CHILD LABOR	An employee must be at least <b>16</b> years o <b>18</b> to work in non-farm jobs declared haz	-	
	Youths <b>14</b> and <b>15</b> years old may work ou ing, non-mining, non-hazardous jobs under		on-manufactur-
	No more than • 3 hours on a school day or 18 • 8 hours on a non-school day or		ek.
	Also, work may not begin before <b>7</b> through Labor Day, when evening happly in agricultural employment.		
TIP CREDIT	Employers of "tipped employees" must pathey claim a tip credit against their minim combined with the employer's cash wage minimum hourly wage, the employer must conditions must also be met.	um wage obligation. If an empl of at least \$2.13 per hour do r	oyee's tips not equal the
ENFORCEMENT	The Department of Labor may recover ba court action, for the employees that have Violations may result in civil or criminal ac	been underpaid in violation of	
	Employers may be assessed civil money prepeated violation of the minimum wage of to \$11,000 for each employee who is the provisions. In addition, a civil money pena child labor violation that causes the death such assessments may be doubled, up to to be willful or repeated. The law also proworkers who file a complaint or participate	or overtime pay provisions of the subject of a violation of the Ac- alty of up to \$50,000 may be as a or serious injury of any minor \$100,000, when the violations hibits discriminating against or	e law and up t's child labor sessed for each employee, and are determined discharging
ADDITIONAL INFORMATION	<ul> <li>Certain occupations and establishments overtime pay provisions.</li> <li>Special provisions apply to workers in A Northern Mariana Islands.</li> <li>Some state laws provide greater employe</li> <li>The law requires employers to display th</li> <li>Employees under 20 years of age may b consecutive calendar days of employme</li> <li>Certain full-time students, student learn may be paid less than the minimum wag Department of Labor.</li> </ul>	merican Samoa and the Comm e protections; employers must c his poster where employees ca be paid \$4.25 per hour during th ent with an employer. ers, apprentices, and workers	nonwealth of the omply with both. n readily see it. neir first 90 with disabilities
	For additional inform		<b>NH</b> B
		-877-889-5627 U.S. W	

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# PART IV

# **INSURANCE**

### INSURANCE

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

- 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**

### **PROPOSAL BID ITEMS**

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# Section: 0001 - PAVING

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00003		CRUSHED STONE BASE	7,020.00	TON		\$	
0020	00100		ASPHALT SEAL AGGREGATE	51.00	TON		\$	
0030	00103		ASPHALT SEAL COAT	6.00	TON		\$	
0040	00190		LEVELING & WEDGING PG64-22	250.00	TON		\$	
0050	00214		CL3 ASPH BASE 1.00D PG64-22	6,195.00	TON		\$	
0060	00339		CL3 ASPH SURF 0.38D PG64-22	990.00	TON		\$	
0070	00356		ASPHALT MATERIAL FOR TACK	14.00	TON		\$	
0080	02676		MOBILIZATION FOR MILL & TEXT	1.00	LS		\$	
0090	02677		<b>ASPHALT PAVE MILLING &amp; TEXTURING</b>	56.00	TON		\$	

### Section: 0002 - ROADWAY

LINE	BID CODE	ALT DESCRIPTION	QUANTITY	UNIT	UNIT PRIC FP	AMOUNT
0100	00078	<b>CRUSHED AGGREGATE SIZE NO 2</b>	2,500.00	TON	\$	
0110	01000	PERFORATED PIPE-4 IN	800.00	LF	\$	
0120	01020	PERF PIPE HEADWALL TY 1-4 IN	1.00	EACH	\$	
0130	01987	DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	4.00	EACH	\$	
0140	02014	BARRICADE-TYPE III	4.00	EACH	\$	
0150	02159	TEMP DITCH	1,400.00	LF	\$	
0160	02160	CLEAN TEMP DITCH	700.00	LF	\$	
0170	02230	EMBANKMENT IN PLACE	4,505.00	CUYD	\$	
0180	02242	WATER (FOR DUST CONTROL)	100.00	MGAL	\$	
0190	02351	<b>GUARDRAIL-STEEL W BEAM-S FACE</b>	175.00	LF	\$	
0200	02367	<b>GUARDRAIL END TREATMENT TYPE 1</b>	2.00	EACH	\$	
0210	02381	REMOVE GUARDRAIL	312.00	LF	\$	
0220	02429	<b>RIGHT-OF-WAY MONUMENT TYPE 1</b>	32.00	EACH	\$	
0230	02432	WITNESS POST	3.00	EACH	\$	
0240	02545	CLEARING AND GRUBBING (APPROXIMATELY 4.6 ACRES)	1.00	LS	\$	
0250	02562	TEMPORARY SIGNS	211.00	SQFT	\$	
0260	02585	EDGE KEY	81.00	LF	\$	
0270	02599	FABRIC-GEOTEXTILE TYPE IV	1,000.00	SQYD	\$	
0280	02650	MAINTAIN & CONTROL TRAFFIC	1.00	LS	\$	
0290	02671	PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH	\$	
0300	02697	EDGELINE RUMBLE STRIPS	3,050.00	LF	\$	
0310	02701	TEMP SILT FENCE	1,400.00	LF	\$	
0320	02703	SILT TRAP TYPE A	3.00	EACH	\$	
0330	02704	SILT TRAP TYPE B	3.00	EACH	\$	
0340	02705	SILT TRAP TYPE C	3.00	EACH	\$	
0350	02706	CLEAN SILT TRAP TYPE A	3.00	EACH	\$	
0360	02707	CLEAN SILT TRAP TYPE B	3.00	EACH	\$	
0370	02708	CLEAN SILT TRAP TYPE C	3.00	EACH	\$	
0380	02726	STAKING	1.00	LS	\$	
0390	05950	EROSION CONTROL BLANKET	2,788.00	SQYD	\$	
0400	05952	TEMP MULCH	10,000.00	SQYD	\$	

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### **PROPOSAL BID ITEMS**

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#### Report Date 3/27/19

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0410	05963		INITIAL FERTILIZER	.30	TON		\$	
0420	05964		MAINTENANCE FERTILIZER	.50	TON		\$	
0430	05985		SEEDING AND PROTECTION	10,000.00	SQYD		\$	
0440	05992		AGRICULTURAL LIMESTONE	9.00	TON		\$	
0450	06406		SBM ALUM SHEET SIGNS .080 IN	33.00	SQFT		\$	
0460	06411		STEEL POST TYPE 2	60.00	LF		\$	
0470	06510		PAVE STRIPING-TEMP PAINT-4 IN	6,800.00	LF		\$	
0480	06514		PAVE STRIPING-PERM PAINT-4 IN	13,656.00	LF		\$	
0490	06530		PAVE STRIPING REMOVAL-4 IN	6,800.00	LF		\$	
0500	06547		PAVE STRIPING-THERMO-12 IN Y	425.00	LF		\$	
0510	06568		PAVE MARKING-THERMO STOP BAR-24IN	56.00	LF		\$	
0520	06574		PAVE MARKING-THERMO CURV ARROW	11.00	EACH		\$	
0530	10020NS		FUEL ADJUSTMENT	14,098.00	DOLL	\$1.00	\$	\$14,098.00
0540	10030NS		ASPHALT ADJUSTMENT	29,068.00	DOLL	\$1.00	\$	\$29,068.00
0550	20191ED		OBJECT MARKER TY 3	2.00	EACH		\$	
0560	21289ED		LONGITUDINAL EDGE KEY	3,900.00	LF		\$	
0570	21373ND		REMOVE SIGN	4.00	EACH		\$	
0580	24631EC		BARCODE SIGN INVENTORY	4.00	EACH		\$	
0590	24790EC		SUBGRADE STABILIZATION	12,800.00	SQYD		\$	

### Section: 0003 - BRIDGE - CULVERT - STA. 54+80.92 - DWG. 27815

LINE	BID CODE	ALT DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0600	08002	STRUCTURE EXCAV-SOLID ROCK	13.00	CUYD		\$	
0610	08003	FOUNDATION PREPARATION	1.00	LS		\$	
0620	08100	CONCRETE-CLASS A	165.70	CUYD		\$	
0630	08150	STEEL REINFORCEMENT	21,957.00	LB		\$	

# Section: 0004 - DEMOBILIZATION &/OR MOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0640	02569		DEMOBILIZATION	1.00	LS		\$	