



**CALL NO. 308**

**CONTRACT ID. 122459**

**FLOYD COUNTY**

**FED/STATE PROJECT NUMBER CB01 036 0122 005-006**

**DESCRIPTION SPURLOCK-BUCKS BRANCH ROAD (KY 122)**

**WORK TYPE SLIDE REPAIR**

**PRIMARY COMPLETION DATE 6/30/2013**

**LETTING DATE: October 19, 2012**

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN DAYLIGHT TIME October 19, 2012. Bids will be publicly announced at 10:00 AM EASTERN DAYLIGHT TIME.

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

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# **PART I**

## **SCOPE OF WORK**

CONTRACT ID - 122459

ADMINISTRATIVE DISTRICT - 12

PROJECT(S) IDENTIFICATION AND DESCRIPTION:

COUNTY - FLOYD

PCN - MP03601221201

CB01 036 0122 005-006

SPURLOCK-BUCKS BRANCH ROAD (KY 122) BEGINNING 5.363 MILES FROM JUNCTION KY 114 (MP 5.363)  
EXTENDING 0.034 MILES EAST FROM BEGINNING (MP 5.397), A DISTANCE OF 0.03 MILES. SLIDE  
REPAIR.

GEOGRAPHIC COORDINATES LATITUDE 37^36'07" LONGITUDE 82^48'21"

AVERAGE DAILY TRAFFIC - 1110

AVERAGE MAINLINE WIDTH - 18.0 FEET

COMPLETION DATE(S):

COMPLETION DATE - June 30, 2013

APPLIES TO ENTIRE CONTRACT

## **CONTRACT NOTES**

### **PROPOSAL ADDENDA**

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

### **BID SUBMITTAL**

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

The Bidder must download the bid file located on the Bid Express website ([www.bidx.com](http://www.bidx.com)) to prepare a bid packet for submission to the Department. The bidder must submit electronically using Bid Express.

### **JOINT VENTURE BIDDING**

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

### **UNDERGROUND FACILITY DAMAGE PROTECTION**

The contractor is advised that the Underground Facility Damage Protection Act of 1994, became law January 1, 1995. It is the contractor's responsibility to determine the impact of the act regarding this project, and take all steps necessary to be in compliance with the provision of the act.

### **SPECIAL NOTE FOR PIPE INSPECTION**

Contrary to Section 701.03.08 of the 2012 Standard Specifications for Road and Bridge Construction and Kentucky Method 64-114, certification by the Kentucky Transportation Center for prequalified Contractors to perform laser/video inspection is not required on this contract. It will continue to be a requirement for the Contractor performing any laser/video pipe inspection to be prequalified for this specialized item with the Kentucky Transportation Cabinet-Division of Construction Procurement.

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

Pursuant to KRS 176.085(1)(b), an agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a state contract to a person that is a foreign entity required by [KRS 14A.9-010](#) to obtain a certificate of authority to transact business in the Commonwealth (“certificate”) from the Secretary of State under [KRS 14A.9-030](#) unless the person produces the certificate within fourteen (14) days of the bid or proposal opening. If the foreign entity is not required to obtain a certificate as provided in [KRS 14A.9-010](#), the foreign entity should identify the applicable exception. Foreign entity is defined within [KRS 14A.1-070](#).

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

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

## **SPECIAL NOTE FOR PROJECT QUESTIONS DURING ADVERTISEMENT**

Questions about projects during the advertisement should be submitted in writing to the Division of Construction Procurement. This may be done by fax (502) 564-7299 or email to [kytc.projectquestions@ky.gov](mailto:kytc.projectquestions@ky.gov). The Department will attempt to answer all submitted questions. The Department reserves the right not to answer if the question is not pertinent or does not aid in clarifying the project intent.

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

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

## **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. (See attachment)

09/26/2012



**Steven L. Beshear**  
Governor

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

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

### **FINANCE AND ADMINISTRATION CABINET**

#### **Vendor Document Disclosure**

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

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

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

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

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



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

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

**SPECIAL NOTE FOR RECIPROCAL PREFERENCE**

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

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

03/01/2011

## **SPECIAL NOTES** **SLIDE REPAIR PROJECT**

### **I. DESCRIPTION**

This work shall be performed in accordance with the Department's Current Standard Specifications and applicable Special Provisions except as hereafter specified. Article references are to the Standard Specifications.

This work shall consist of: (1) Clear and grub, install temporary erosion control, temporary pollution control, seed and protect disturbed area, and final dress area, as needed; (2) Do necessary excavation; (3) Furnish and install railroad rails; (4) **Install wall cribbing furnished by the Department of Highways**; (5) Excavate, place geotextile material, and backfill the area around the railroad rails and on the fill slope; (6) Reconstruct shoulder area; (7) Remove and reset guardrail, as required; (8) Maintain and control traffic; and (9) any other work as specified by this contract.

### **II. MATERIALS**

All materials shall be sampled and tested in accordance with the Department's Sampling Manual and the materials shall be available for sampling a sufficient time in advance of the use of the materials to allow for the necessary time for testing unless otherwise specified in these Notes.

**A. Railroad Rails.** Use recycled (used) railroad rails classified with a nominal weight of 130 lb./yd (pounds per yard) size or greater. Use only visibly straight recycled railroad rails with no splices. The Engineer will verify rail nominal weights (Manufacturer's Stamp with lb./yd, date, etc.). Provide Certification for nominal weight if the Manufacturer's Stamp is unidentifiable.

**B. Wall Cribbing.** Use wall cribbing: recycled (used) steel "W" beam guardrail. **Cribbing material will furnished by the Department of Highways.** Wall cribbing will be located at the *Department of Highways Floyd County Maintenance Storage Facility - Allen.*

**C. Backfill material for Drilled Sockets.** Use the following for backfill material for Drilled sockets: concrete; free flowing sand; pea gravel, crushed limestone, or crushed sandstone. Use backfill material with one hundred percent (100%) passing a one-half (1/2) inch sieve. Do not use auger tailings. Engineer will use visual inspection and/or material testing, as applicable to determine acceptability.

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- D. Fill Material for CRIBBING.** Use one of the following backfill materials: Kentucky Aggregate Gradation No. 2's or larger. Backfill material shall meet requirements of Section 805. The Engineer will use visual inspection and/or material testing, as applicable to determine acceptability.
- E. DGA.** Furnish Dense Graded Aggregate as per Section 805. Do not use Crushed Stone Base.
- F. Final Dressing, Seed and Protection.** Use Seed Mixture No. 1.
- G. Silt Trap A, B or C.** Furnish Silt traps as per Std Drawings and Section 213.
- H. Silt Fence.** Furnish Temporary Silt Fence as per Section 213 and Section 827.
- I. Geotextile Fabric.** Furnish Geotextile Fabric Type 1V as per Section 843.

**III. CONSTRUCTION METHODS**

- A. Maintain and Control Traffic.** See Traffic Control Plan.
- B. Staking.** Establish proper slope elevations and ratios, shoulder widths, existing ditch profile and final ditch profile to insure positive drainage. Be responsible for field layout. Positive drainage is required upon completion of the project and is the responsibility of the Contractor.
- C. Site Preparation.** Prepare flood repair sites. This includes clearing and grubbing, if necessary. Remove all obstructions. Sweep and remove debris, if necessary. The area to be cleared has not been measured by the Department and the bidder must draw his own conclusions. Construct silt checks and Temporary silt fence at locations directed by the engineer. The Engineer shall approve all site preparation. The Department will not make direct payment for site preparation.
- D. Installation of Railroad Rails.** See attached summary for site locations and estimated quantities of materials required. Contrary to the attached tables and drawings for drilled railroad rails, Install only 1 Row of RR Rails on 3 foot centers unless otherwise shown on the summary or mentioned in these notes. The depth to rock shown on the location summary is approximate. The embankment failures at these sites are caused by erosion.

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NOTE TO ENGINEER AND CONTRACTOR: ABSOLUTELY NO CHANGE IN SCOPE OF WORK OR INCREASE IN QUANTITIES WILL BE ALLOWED ON THIS PROJECT WITHOUT PRIOR WRITTEN APPROVAL FROM THE TEBM (Transportation Engineering Branch Manager) FOR OPERATIONS OR HIS REPRESENTATIVE IN THE DISTRICT OFFICE.

THE DEPARTMENT SHALL NOT BE LIABLE FOR PAYMENTS DUE TO ADDITIONAL WORK THAT HAS NOT BEEN AUTHORIZED BY THE AFOREMENTIONED PERSONS.

Install used railroad rail piling in drilled sockets in rock or stable material under the landslides (see figure 1) or the eroded areas (see figure 2) as project location dictates or as directed by the Engineer.

Drill the socket, furnish, and install the railroad rails into holes at slide locations. If the Engineer determines from the sounding obtained at a drilled socket that railroad rail piling cannot be used in that socket, the depth of the socket shall be measured and 50% of the depth shall be paid as "Railroad Rail-Drilled". Drill sockets into solid rock, if possible. The Department will monitor each hole, which will serve as a sounding for the rail to be installed in it. Embed the railroad rail into solid rock no less than one-half the free end length of the rail. (See figure 1 and figure 2). If solid rock cannot be obtained, the Engineer will determine the length of embedment required in other stable foundation. Allow adequate size of the drilled socket to allow free insertion of the railroad rail, but the maximum socket size is 1 foot in diameter.

After each hole is drilled, install railroad rail immediately with the flanges positioned perpendicular to the direction of the landslide or break (see figure 3). Determine the height of rail that is needed to reestablish pavement and shoulder typical section. Cut off excess rail flush with the proposed ground line that is not needed. Use cutoffs elsewhere in the project if possible; unusable cutoffs remain the property of the Contractor.

After railroad rail is installed, immediately backfill the drilled hole with the approved materials. Shovel the backfill material into the hole in small amounts. Avoid bridging between the rail and the sides of the hole. Do not use Auger tailings as backfill material.

When double or triple rows are required, stagger the rows to obtain the required spacing. Keep the spacing between the rows of rails as close as is practical; do not space between the rows of more than 2 feet, if possible. See figure 3 (Case II and Case III) for the diagrams showing two (2) or three (3) rows of rails. Select the spacing as per Table 1 for

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all 130 pound per yard rail or greater. The Department shall approve the selection prior to work being performed.

Crib any exposed portion of railroad rail before placing backfill.

**E. *Excavation and Backfill for Embankment Repair.*** Excavate each embankment/flood repair area to provide a platform for drilling the used railroad rails, if necessary. Excavate for roadway ditches as necessary for slope, shoulder and pavement drainage. Place geotextile fabric, then construct embankment behind railroad rails, cribbing and on slope, as per Section 206. Construct embankment up to the approximate existing pavement elevation.

Reconstruct the shoulder area with DGA up to the approximate existing elevation and width of the surrounding typical section or to a minimum width of 2 Feet at each slide location. Do not pond water on the shoulder area or at the shoulder edge. Reconstruct the shoulder before installing guardrail. Asphalt paving will not be part of the contract. If necessary, asphalt paving will be done by state forces at a later date.

**DO NOT USE EXCAVATED MATERIAL FROM THE SITE AS FILL MATERIAL.**

Excess excavation may be wasted at sites on the right-of-way, **ONLY** if approved by the Engineer. Material may **NOT** be wasted in flood prone areas or in streams.

If the Engineer deems no suitable sites are available within the right-of-way, the Contractor will be required to waste excess material off the right-of-way at sites obtained by the Contractor at no cost to the Department.

**F. *Installation of Wall Cribbing.*** Install Cribbing as shown on Figure 1 or Figure 2 as slide location dictates or as directed by the Engineer. Extend wall cribbing 2 feet below the existing ground line. If bedded rock is encountered, install the cribbing to the bedded rock only. If necessary, the Engineer will direct changes to this procedure. Furnish all labor and equipment to deliver and install wall cribbing on the recycled (used) railroad rail piling. Wall cribbing shall be lapped, bolted, and attached solid to the drilled railroad rails.

**G. *Final Dressing, Seeding and Protection.*** Apply Final Dressing; Class A to all disturbed areas, both on and off the right-of-way. Sow with Seed Mixture No. 1. The Department will **NOT** make direct payment for final dressing, or seeding and protection.

**H. *On-Site Inspection.*** Each Contractor submitting a bid for this work shall make a thorough inspection of the site prior to submitting his bid and shall thoroughly familiarize themselves with the existing conditions so that the work can be expeditiously performed

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after a contract is awarded. Submission of a bid will be considered evidence of this inspection having been made.

**I. Right-of-Way Limits.** Right-of-Way and easement limits shown on the plans are approximate only. The Contractor shall make every effort to limit his activities to obvious right-of-way and permanent or temporary easements and shall be responsible for encroachments onto private lands.

**J. Property Damage.** The Contractor will be responsible for all damage to public and/or private property resulting from his work.

**K. Utility Clearance** *NOTICE: Utility locations are not shown on plans or in the proposal for this project and have not been located by the Department. Locate all underground, above ground and overhead utilities prior to beginning construction. Be responsible for contacting and maintaining liaison with all utility companies that have utilities located within the project limits. Notify the Engineer and the utility owner(s) immediately when it is discovered or anticipated that any utility conflict could delay the Contractor's operations. Do not disturb existing overhead or underground utilities. Be responsible for repairing all utility damage that occurs as a result of the work It is not anticipated that any utility facilities will need to be relocated and/or adjusted; however, in the event that it is discovered that the work does require that utilities be relocated and/or adjusted, the utility companies will work concurrently with the Contractor while relocating their facilities. Working days will not be charged for those days on which work on the controlling item is delayed, as provided in the Specifications. If the total delay exceeds ten working days, an extension of the specified completion date will be negotiated with the Contractor for delay to the Contractor's work; however no extension will be granted for any delay caused by the Contractor's failure to notify the Engineer and/or the utility company as specified above when a conflict is discovered or anticipated as specified. Comply with applicable sections of Chapter 107.*

**L. Asphalt Patching.** Asphalt paving will not be part of the contract. If necessary, asphalt paving will be done by state forces at a later date.

**IV. METHOD OF MEASUREMENT**

**A. Maintain and Control Traffic.** See Traffic Control Plan.

**B. Railroad Rail-Drilled.** The Department will measure this item in Linear Feet finished in-place length: Laps, cutoffs, excess and waste will not be measured for payment. If the Engineer determines from the sounding obtained at a drilled socket that railroad rail

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piling cannot be used in that socket, the depth of the socket shall be measured and 50% of the depth shall be paid as "Railroad Rail-Drilled".

**C. Wall Cribbing** The Department will measure this item in square feet finished in-place area. Laps, cutoffs, excess and waste will not be measured for payment.

**D. Excavation and Backfill.** The Department will measure this item in cubic yards. The Department will measure the quantity in the field as per Section 204 (Roadway Excavation) or other accepted methods of measurement as directed by the Engineer. The following items will not be measured directly by the Department: Site Preparation, Clearing and Grubbing, Seeding and Protection, Final Dressing, Temporary Erosion Control, Temporary Pollution Control, Waste removal, and Disposal, but will be incidental to "Excavation and Backfill" as applicable to each project.

**E. Site Preparation, Clearing and Grubbing, Seeding and Protection, Fertilizer, Temporary Erosion Control, Temporary Pollution Control, Waste Disposal.** The Department will NOT MEASURE for payment these items. They include Site Preparation, Clearing and Grubbing, Seeding and Protection, Final Dressing, Temporary Erosion Control, Temporary Pollution Control, Waste Disposal, and other items not expressly bid as individual items. These items shall be incidental to the bid item "Excavation and Backfill" as applicable to each project.

**V. BASIS OF PAYMENT**

**A. Maintain and Control Traffic.** See Traffic Control Plan.

**B. Railroad Rail-Drilled.** The Department will pay for the completed and accepted quantities under the bid item of "Railroad Rail-Drilled". The Department will consider payment full compensation for all work required in these notes and elsewhere in the Contract.

**C. Excavation and Backfill.** The Department will pay for the completed and accepted quantities under the bid item: Excavation and Backfill. Payment will be based on quantity measured in the field. The Department will consider payment full compensation for all work required on the project. The following items are incidental to "Excavation and Backfill" and will not be measured directly by the Department. These items include Site Preparation, Clearing and Grubbing, Seeding and Protection, Final Dressing, Temporary Erosion Control, Temporary Pollution Control, Waste removal and Disposal.



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**D. Wall Cribbing.** The Department will pay for the completed and accepted quantities under the bid item of "Wall Cribbing". Payment will be based on the quantity installed in the field. The Department will not make separate payment for the hauling of the wall cribbing to the slide site. The Department will consider payment full compensation for all work required on the project.

**E. Site Preparation, Clearing and Grubbing, Seeding and Protection, Fertilizer, Temporary Erosion Control, Temporary Pollution Control, Waste Disposal.** The Department will NOT make direct payment for operations for which bid items do not exist. They include items listed here: Site Preparation, Clearing and Grubbing, Seeding and Protection, Final Dressing, Temporary Erosion Control, Temporary Pollution Control, Waste removal and Disposal. These activities shall be incidental to the bid item "Excavation and Backfill" as applicable to each project.

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

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

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

## **TRAFFIC CONTROL PLAN FOR SLIDE CORRECTION DRILLED RAILROAD RAIL PILING**

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### **TRAFFIC CONTROL GENERAL**

Except as specified herein, maintain and control traffic in accordance with the Standard and Supplemental Specifications and the Standard and Sepia Drawings, current editions. Except for the roadway and traffic control bid items listed, furnish all other items necessary to maintain and control traffic incidental to the Contract lump sum price Maintain and Control Traffic.

Contrary to Section 106.01, furnish new, or used in like new condition, traffic control devices, at the beginning of the work and maintain the devices in like new condition until completion of the work.

### **PROJECT PHASING & CONSTRUCTION PROCEDURES**

At the discretion of the Engineer, the Department may specify days and hours when lane closures will not be allowed. Prior to beginning work, provide a proposed lane closure and work schedule for the approval of the Engineer. The Department will provide public notification. Notify the Engineer immediately and obtain prior approval of any proposed deviations from the approved schedule.

Maintain alternating one way traffic during construction. Unless directed otherwise by the Engineer, provide a minimum clear lane width of 8 feet. If traffic should be stopped due to construction operations, and a school bus on an official run arrives on the scene, immediately make provisions for the passage of the bus.

If the Engineer determines that work site conditions require all traffic be stopped while drilling operations are in progress, stop traffic for the length of time required to drill and set one rail. Allow all waiting traffic to pass before starting the next hole. If an emergency vehicle or school bus is present in the queue, stop drilling and allow traffic to pass immediately.

### **LANE CLOSURES**

Except as permitted by the Engineer, do not leave lane closures in place during non-working hours. If permitted, the Engineer may require additional additional signing and/or traffic control devices.

Traffic Control Plan for Slide Correction  
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## **CHANGEABLE MESSAGE SIGNS**

If deemed necessary by the Engineer, the Department will furnish, operate, and maintain Changeable Message Signs.

## **SIGNS**

Contrary to section 112.04.02, the Department will measure only long term signs (signs intended to be continuously in place for more than 3 days) for payment. The Department will not measure; short term signs (signs intended to be left in place for 3 days or less) for payment, but shall be incidental to Maintain and Control Traffic. Contrary to Section 112.04.02, the Department will measure individual signs only once for payment, regardless of how many times they are erected or relocated.

## **BARRICADES**

The Department will not measure Barricades used in lieu of barrels and cones for channelization or delineation, but shall be incidental to Maintain and Control Traffic according to Section 112.04.01. The Department will measure Barricades used for protection of pavement removal areas according to Section 112.04.04. Retain possession of the barricades upon completion of the work.

## **PAVEMENT EDGE DROP-OFFS**

Do not allow a difference in elevation of a pavement edge between opposing directions of traffic or lanes that traffic is expected to cross in a lane change situation greater than 1½". Place warning signs ((MUTCD W8-9, W8-9A, or W8-11) in advance of and at 1500 foot intervals throughout the drop-off area. Dual post the signs on both sides of the traveled way. Wedge transverse transitions between newly surfaced pavement and the existing pavement areas that traffic may cross with asphalt mixture for leveling and wedging. Remove wedges prior to placement of the final surface course.

Treat pavement edges that traffic is not expected to cross, except accidentally, as follows:

Less than 2" - No protection required.

2" to 4" - Place plastic drums, vertical panels, or barricades every 50 feet. The Engineer will allow cones to be used in lieu of plastic drums, panels, and barricades during daylight working hours only. Wedge drop-offs within 10 feet of traffic with DGA or asphalt mixture for leveling and wedging as directed or approved by the Engineer with a 1:1 or flatter slope in daylight working hours, or 3:1 or flatter slope during nighttime hours or when work is not active in the drop-off area.

Traffic Control Plan for Slide Correction  
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Greater than 4" – Protect drop-offs greater than 4 inches within 10 feet of traffic by placing drums, vertical panels, or barricades every 25 feet. The Engineer will not allow the use of cones in lieu of drums, vertical panels, or barricades for drop-offs greater than 4". Place Type III Barricades directly in front of the drop-off facing on coming traffic in both directions of travel. Provide warning signs as shown on the Standard Drawings or as

UTILITY NOTES

FLOYD COUNTY  
SLIDE REPAIR  
CB01 036 0122 005-006

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

INTER-MOUNTAIN CABLE HAVE FACILITIES IN THE AREA. THE CABLE IS CLEAR OF CONSTRUCTION. ANY DAMAGE TO THE CABLE DURING CONSTRUCTION WILL BE THE RESPONSIBILITY OF THE CONTRACTOR. ROY HARLOW (606-479-6222) IS THE CONTACT PERSON FOR INTER-MOUNTAIN CABLE. PRESTONSBURG CITY UTILITIES - CONTACT - DAVE ELLIS - 606-886-6871 HAS A 4 INCH WATERLINE WHICH RUNS BELOW THE EXISTING DITCH LINE. THERE IS A 2 INCH GAS LINE WHICH RUNS PARALLE WITH EXISTING KY 122 WHICH D-12 UTILITIES HAS BEEN INFORMED BY THE LOCAL CITIZENS IS OWNED BY MIDLAN GAS COMPANY IN PENNSYLVANIA. JIM STEPHENS - 606-889-1003 IS THE LOCAL PROPERTY OWNER WHOM TAKES CARE OF THE GAS LINE. CONTRACTOR SHOULD CONTACT MR. STEPHENS IN CASE OF ANY DAMAGE TO THE GAS LINE. MR. STEPHENS IS CAPABLE OF SHUTTING THE GAS LINE OFF IN CASE THE LINE IS DAMAGED. LINE WILL NOT BE RELOCATED PRIOR TO CONSTRUCTION, CONTRACTOR SHOULD USE EXTREME CARE WHILE WORKING NEAR THE LINE.

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

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

BIG SANDY RECC HAVE FACILITIES LOCATED ON THE PROJECT. CONTACT - DAVE ROBINSON (606-793-2732). CONTRACTOR MUST GIVE BIG SANDY RECC 3 WEEKS NOTICE PRIOR TO BEGINNING THE PROJECT. BIG SANDY RECC IS TO SET ONE (45-4) POLE ACROSS THE EXISTING ROAD AND TEMPORARILY RELOCATE WIRES CLEAR OF CONSTRUCTION. CONTRACTOR SHOULD CONTACT BIG SANDY RECC WHEN PROJECT IS COMPLETED SO THEY MAY AND PUT LINES BACK TO ORIGINAL POLE. AT & T KY HAS FACILITIES LOCATED ON THE PROJECT CONTACT - JACK SALTERS (606-874-2715). AT & T KY WILL REQUIRE 3 WEEKS NOTICE PRIOR TO CONTRACTOR STARTING WORK. AT & T KY WILL REMOVE CABLE FROM EXISTING POLE AND TRANSFER TO TEMPORARY POLE BEING SET BY BIG SANDY RECC.

THE FOLLOWING COMPANIES HAVE FACILITIES TO BE RELOCATED/ADJUSTED BY A 3RD PARTY IN COORDINATION WITH THIS CONTRACT

None have been identified. However, the contractor should note that this work is not clearly scoped as it is maintenance and repair in nature. Due to the lack of detailed plan and scope, the Cabinet cannot guarantee that no utility coordination will be required. If utility relocations are discovered during project execution, the contractor shall cooperate with the relocation needs as a necessary part of the execution of such work.

THE FOLLOWING COMPANIES HAVE FACILITIES TO BE RELOCATED/ADJUSTED AS INCLUDED IN THIS CONTRACT

None applicable to this project.

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.

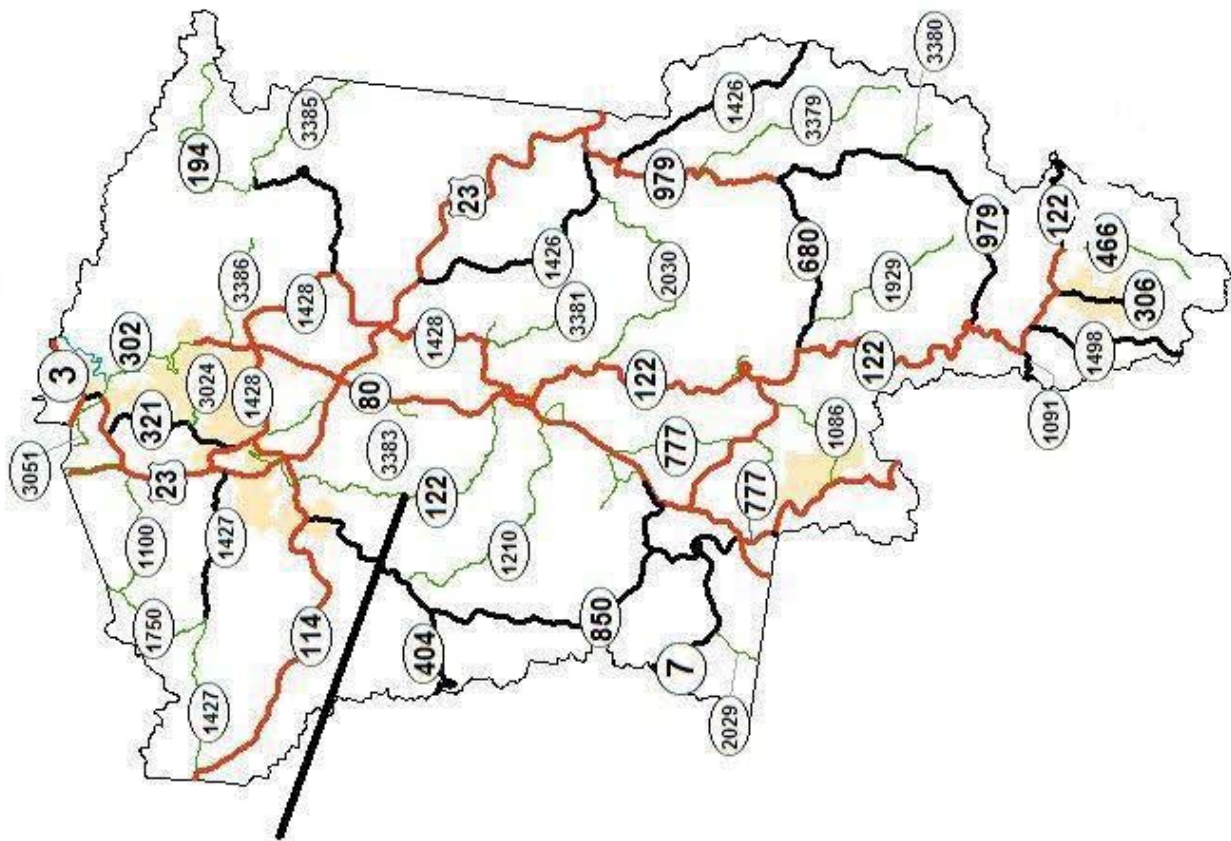
*Please Note: The information presented in this Utility Note is informational in nature and the information contained herein is not guaranteed.*



DEPARTMENT OF HIGHWAYS  
MAP OF  
FLOYD COUNTY



CB01 036 0122 005-006



Floyd County KY 122

Site	Begin	End	Length	Cribbing Depth	Excavation Width	Depth to Rock	Number of Rows	Rail Spacing (FT)	Cribbing Amount (SQ FT)	Steel (FT)	Excav. & Backfill (CU YD)	Type IV Geotextile Fabric (SQ YD)
1	5.373	5.377	21	15	3	26	1	3	317	351	36	82
	5.377	5.385	42	15	3	26	2	3	1267	1248	142	329
	5.385	5.388	16	15	3	26	1	3	238	273	27	62
								TOTALS	1822	1872	205	472



Floyd County KY 122												
REMOVE & RESET							REMOVE GUARDRAIL					
LANE	END TREAT.	BEGIN MILEPOINT	END MILEPOINT	END TREAT.	LIN FEET	REMARKS	LANE	BEGIN MILEPOINT	END MILEPOINT	LIN FEET	REMARKS	
East	Tie Into Existing	5.363	5.397	Tie Into Existing	187.5							

TOTAL = 187.5

## TYPICAL SECTION DEPICTING INSTALLATION OF RECYCLED RAILROAD RAIL PLACED IN DRILLED SOCKET FOR LANDSLIDE CORRECTION

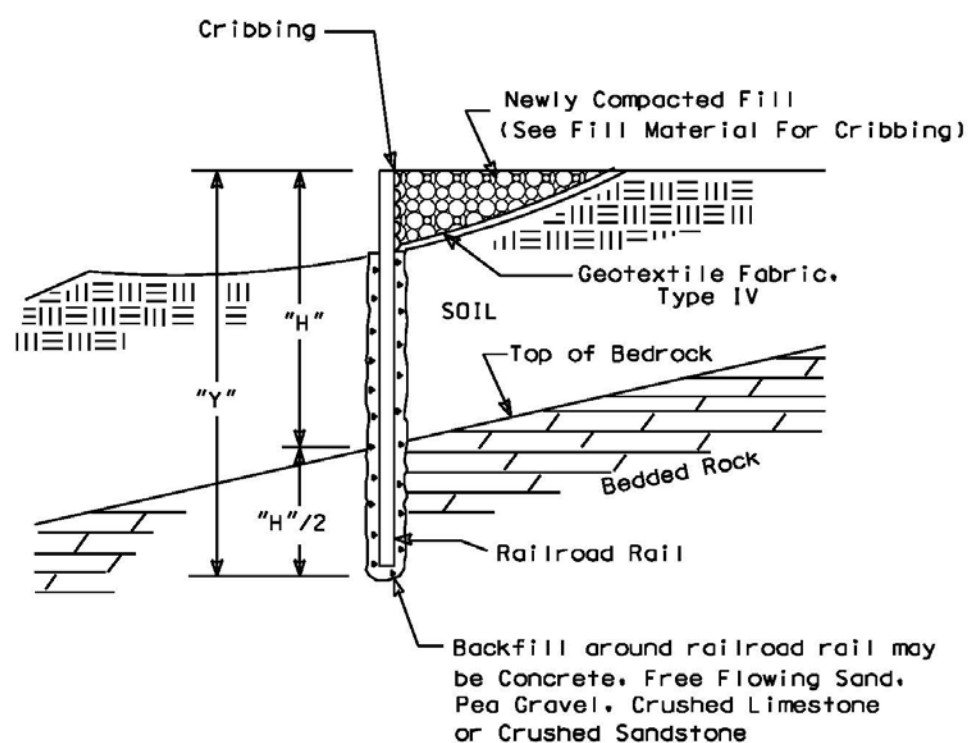
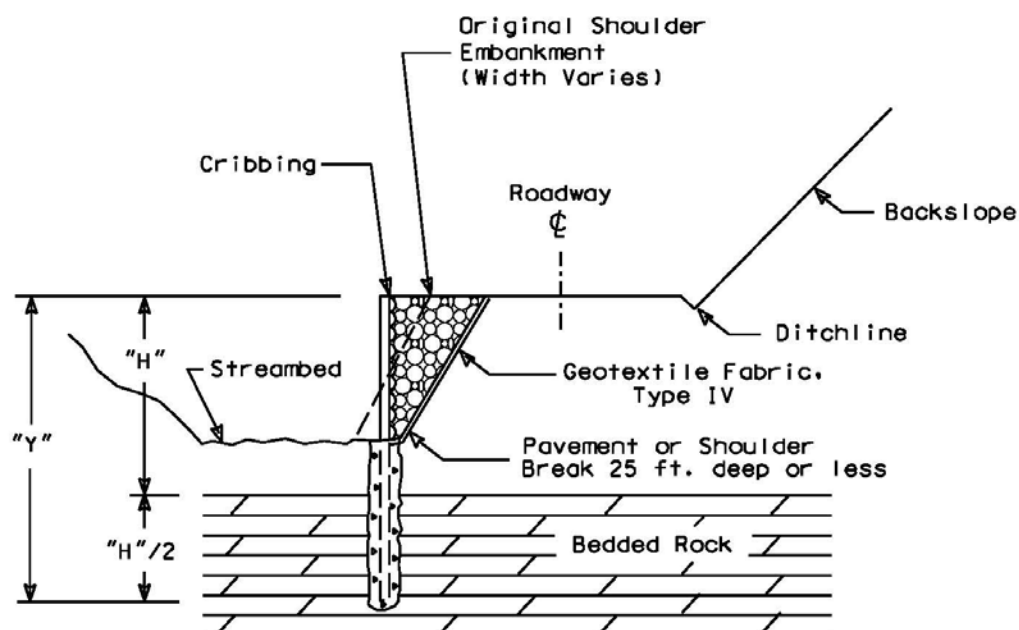


Figure 1

## TYPICAL CROSS SECTION OF ROADWAY REPAIRS UTILIZING RECYCLED RAILROAD RAILS IN DRILLED SOCKETS FOR EMBANKMENT EROSION CORRECTION

NOTE:  
Spacing from edge to  
edge of drilled  
socket : 3 ft. max.



NOTE :  
"H"/2 Depth of Rail into bedded rock =  
1/3 total length where rock is present.

Figure 2

ALTERNATE SCHEMES FOR INSTALLING RAILROAD RAILS  
IN DRILLED SOCKETS

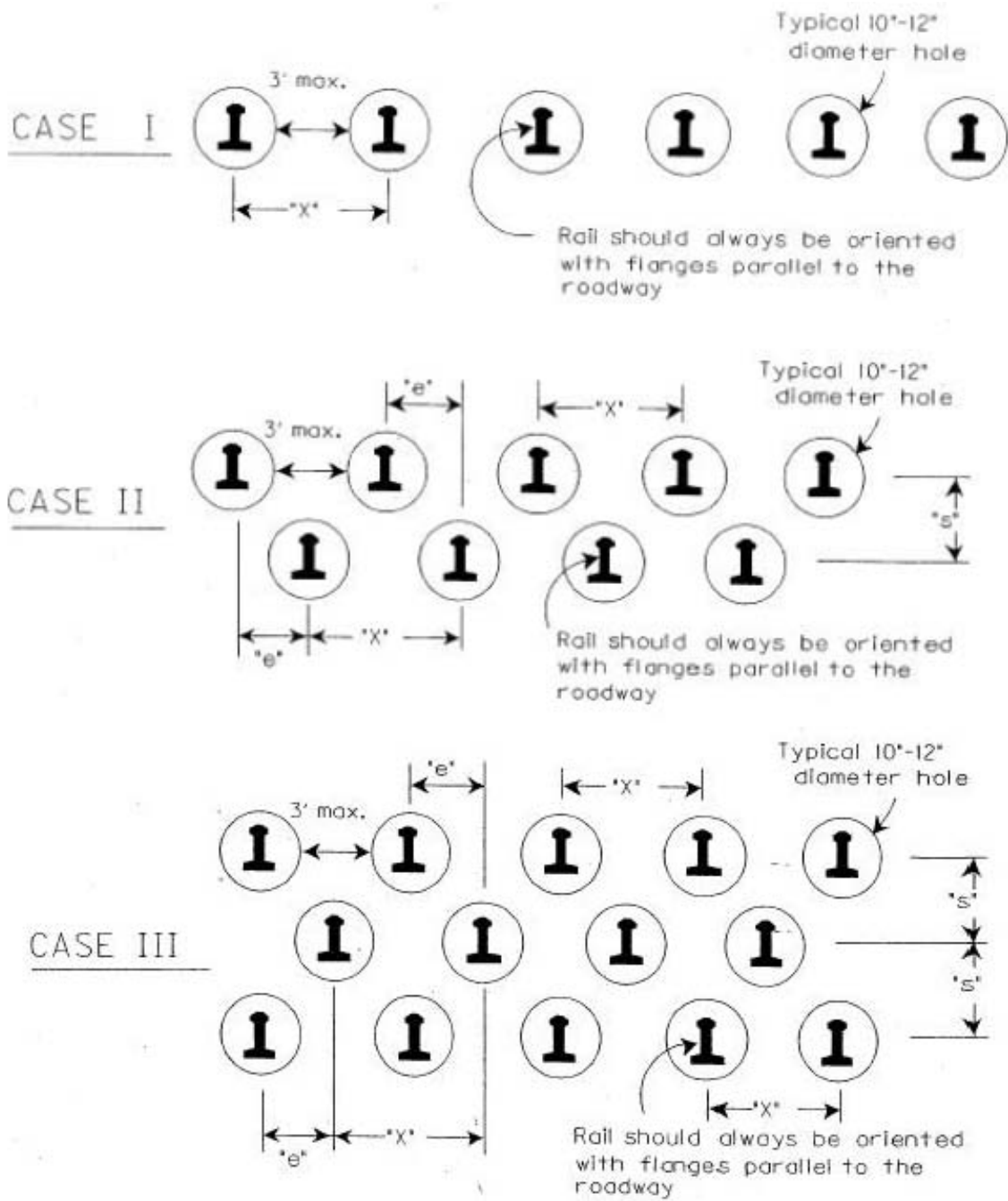


FIGURE 3

DESIGN CHART FOR 130LBS/YD TO 133 LBS/YD RECYCLED (USED) RAILROAD RAILS  
FACTOR OF SAFETY = 1

Soil Depth to Bedded Rock "H" (Feet)	Minimum Embedment into Bedded Rock "H/2" (Feet)	Total Length of Installed Railroad Rail "Y" (Feet)	Required Number of Rows	Maximum Spacing Between Rails "X" (Max. 48") (Inches)	Effective Spacing Between Rows of Rails "e" (Inches)
8	4	12	1	48	N/A
9	4.5	13.5	1	48	N/A
10	5	15	1	48	N/A
11	5.5	16.5	1	48	N/A
12	6	18	1	48	N/A
13	6.5	19.5	1	48	N/A
14	7	21	1	32	N/A
15	7.5	22.5	2	48	24
16	8	24	2	44	22
17	8.5	25.5	2	36	18
18	9	27	2	28	14
19	9.5	28.5	2	24	12
20	10	30	3	33	11
21	10.5	31.5	3	28.5	9.5
>21	N/A	N/A	N/A	N/A	N/A

NOTES: 1. REFER TO FIGURES 1, 2, & 3 FOR DIMENSIONS SHOWN  
2. FOR SOIL DEPTHS "H" GREATER THAN 21 FEET CONTACT THE ENGINEER.

TABLE I

**IDENTIFICATION OF  
RAILROAD RAIL SIZES**

- 1. Typically classified in units of lbs-per-yard.  
Examples :  
155 lbs/yd, 140 lbs/yd, 132 lbs/yd, 90 lbs/yd
- 2. Each rail has a classification stamped in web:  
Example :  
112 25 RE OH ILLINOIS USA 1935 IIIII  
↑  
Weight in lbs/yd

**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 2012 with the 2012 Revision*.



**Supplemental Specifications to the Standard Specifications for Road and  
Bridge Construction, 2012 Edition**

**(Effective with the August 17, 2012 Letting)**

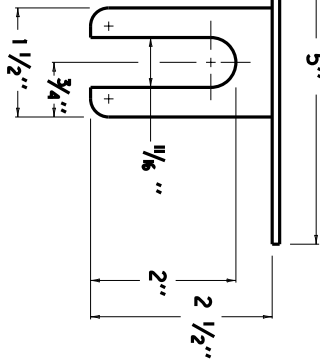
<b>Subsection:</b>	402.03.02 Contractor Quality Control and Department Acceptance.
<b>Part:</b>	D) Testing Responsibilities.
<b>Number:</b>	4) Density.
<b>Revision:</b>	Replace the second sentence of the Option A paragraph with the following: Perform coring by the end of the following work day.
<b>Subsection:</b>	606.03.17 Special Requirements for Latex Concrete Overlays.
<b>Part:</b>	A) Existing Bridges and New Structures.
<b>Number:</b>	1) Prewetting and Grout-Bond Coat.
<b>Revision:</b>	Add the following sentence to the last paragraph: Do not apply a grout-bond coat on bridge decks prepared by hydrodemolition.
<b>Subsection:</b>	609.03 Construction.
<b>Revision:</b>	Replace Subsection 609.03.01 with the following: 609.03.01 A) Swinging the Spans. Before placing concrete slabs on steel spans or precast concrete release the temporary erection supports under the bridge and swing the span free on its supports. 609.03.01 B) Lift Loops. Cut all lift loops flush with the top of the precast beam once the beam is placed in the final location and prior to placing steel reinforcement. At locations where lift loops are cut, paint the top of the beam with galvanized or epoxy paint.

STANDARD DRAWINGS THAT APPLY

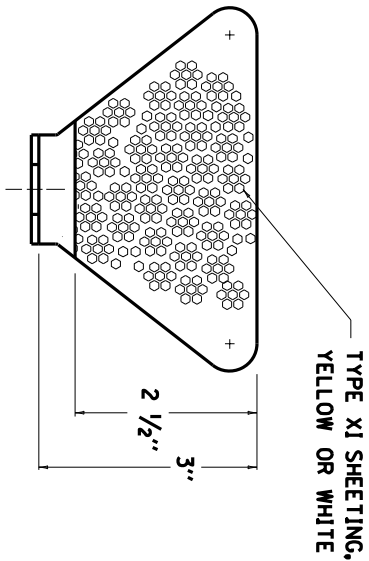
TYPICAL GUARDRAIL INSTALLATIONS.....	RBI-001-09
TYPICAL GUARDRAIL INSTALLATIONS.....	RBI-002-06
STEEL BEAM GUARDRAIL (W-BEAM).....	RBR-001-11
GUARDRAIL POSTS .....	RBR-015-04
GUARDRAIL POSTS .....	RBR-016-04
SILT TRAP - TYPE A.....	RDX-220-04
SILT TRAP - TYPE B.....	RDX-225
SILT TRAP - TYPE C.....	RDX-230
MISCELLANEOUS STANDARDS PART 1 .....	RGX-001-05
NETTING .....	RRE-002-04
LANE CLOSURE TWO-LANE HIGHWAY CASE I.....	TTC-100-01
LANE CLOSURE TWO-LANE HIGHWAY CASE II.....	TTC-105-01
SHOULDER CLOSURE.....	TTC-135-01
POST SPLICING DETAIL .....	TTD-110-01

NOTES

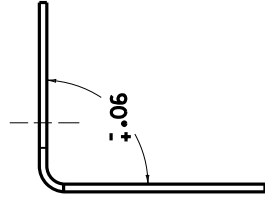
1. THE DELINEATOR'S SHAPE AND DIMENSIONS ARE SHOWN FOR ILLUSTRATION PURPOSES ONLY. TYPES OF DELINEATORS PERMITTED SHALL BE FROM THE LIST OF APPROVED MATERIALS.
2. DELINEATOR SHALL BE MEASURED AND PAID FOR AT THE CONTRACT UNIT PRICE EACH AND SHALL INCLUDE ALL MATERIALS AND LABOR NECESSARY FOR ONE COMPLETE INSTALLATION.
3. CODE  
1982 DELINEATOR FOR GUARDRAIL - MONO DIRECTIONAL WHITE  
1983 DELINEATOR FOR GUARDRAIL - MONO DIRECTIONAL YELLOW  
1987 DELINEATOR FOR GUARDRAIL - BI-DIRECTIONAL WHITE  
PAY ITEM  
1982 DELINEATOR FOR GUARDRAIL - MONO DIRECTIONAL WHITE  
1983 DELINEATOR FOR GUARDRAIL - MONO DIRECTIONAL YELLOW  
1987 DELINEATOR FOR GUARDRAIL - BI-DIRECTIONAL WHITE  
EACH  
EACH  
EACH  
PAY UNIT  
EACH  
EACH  
EACH
4. GUARDRAIL DELINEATORS SHALL BE REQUIRED ON ALL GUARDRAIL.
5. DELINEATORS SHALL BE MANUFACTURED FROM 12 GA. GALVANIZED STEEL.
6. DIMENSIONS SHOWN ARE APPROXIMATE AND ARE SUBJECT TO MANUFACTURER'S TOLERANCES.
7. WHEN CONCRETE BARRIERS EXTEND ACROSS BRIDGE STRUCTURES IN LIEU OF STEEL BEAM GUARDRAIL, DELINEATORS SHALL BE INSTALLED AT SAME VERTICAL ALIGNMENT AS ON THE GUARDRAIL, AND DELINEATORS SHALL COMPLY WITH CURRENT SEP1A DRAWING 004.
8. DELINEATORS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.



PLAN VIEW

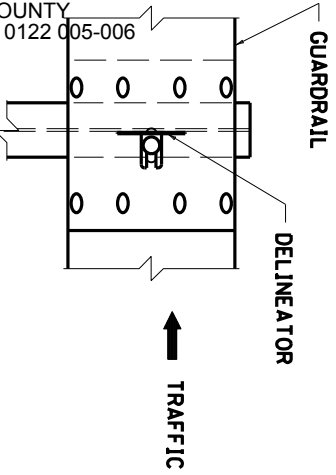


FRONT VIEW

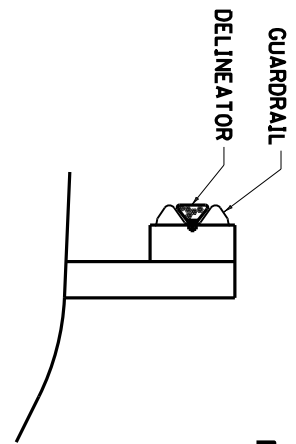


SIDE VIEW

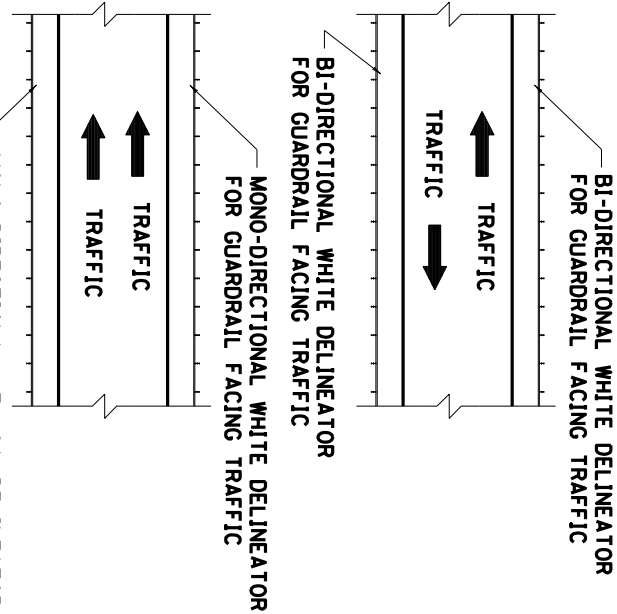
NOTE: DIMENSIONS SHOWN ARE FOR ONE VERSION OF A WEB-MOUNTED GUARDRAIL DELINEATOR. DELINEATORS WITH ALTERNATE DIMENSIONS MAY BE CONSIDERED FOR INCLUSION ON THE APPROVED PRODUCTS LIST.



FRONT VIEW



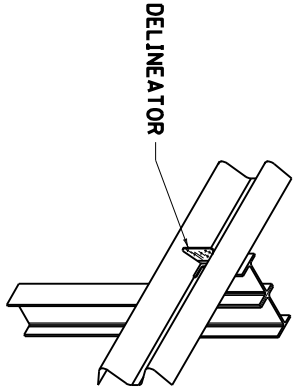
SIDE VIEW



PLACEMENT OF DELINEATORS FOR GUARDRAIL

APPROXIMATE DELINEATOR SPACING	
TANGENT	100'
CURVE	50'

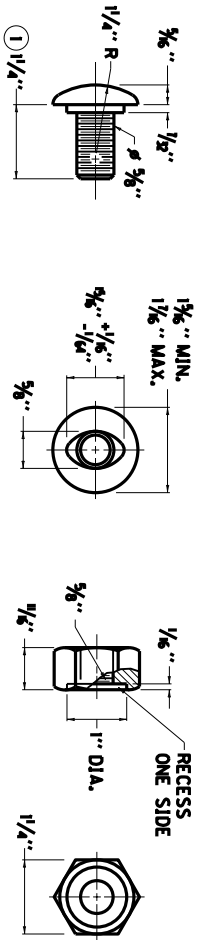
SPACING SHOULD BE ADJUSTED IN CURVES SO THAT SEVERAL DELINEATORS ARE ALWAYS SIMULTANEOUSLY VISIBLE TO THE ROAD USER.



ISOMETRIC VIEW

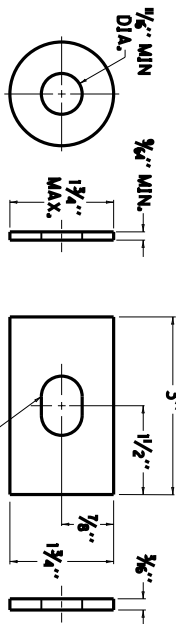
KENTUCKY  
DEPARTMENT OF HIGHWAYS  
DELINATORS  
FOR GUARDRAIL

SUBMITTED BY: *[Signature]* 6-15-2012  
DATE: 6-15-2012  
002



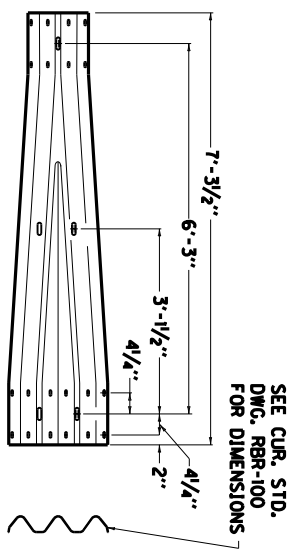
3/8" BUTTON HEAD BOLT AND RECESSED NUT

- NOTES**
- ① RAIL BOLT SIMILAR EXCEPT LENGTH.
  - ② THE THREE BEAM TO "W" BEAM CONNECTOR SHALL COMPLY WITH AASHTO M-180 CLASS A, TYPE 2 EXCEPT WHERE IN CONFLICT WITH THIS DETAIL.

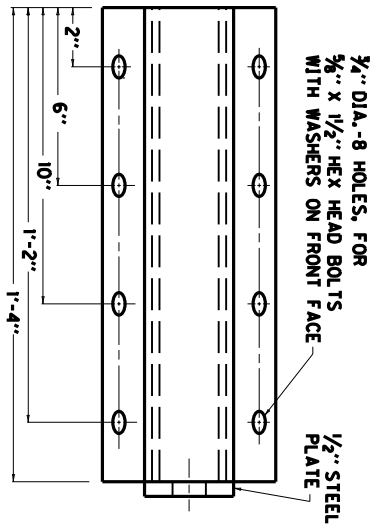


ROUND WASHER AND RECTANGULAR PLATE WASHER

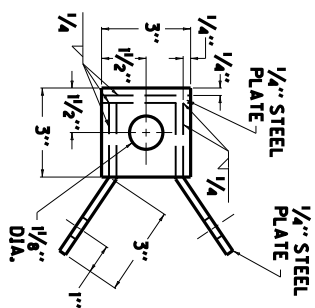
SEE CUR. STD.  
DWG. RBR-001  
FOR DIMENSIONS



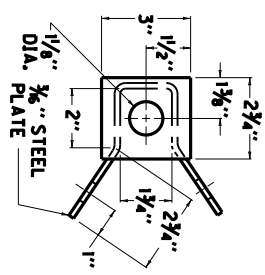
THREE BEAM TO "W" BEAM CONNECTOR ②




RAIL ANCHOR ASSEMBLY



ALTERNATE NO. 1



ALTERNATE NO. 2

KENTUCKY DEPARTMENT OF HIGHWAYS	
GUARDRAIL COMPONENTS	
SUBMITTED: 	DATE: 6-15-2012
TECHNICAL DIVISION OF DESIGN	008

## **PART III**

### **EMPLOYMENT, WAGE AND RECORD REQUIREMENTS**

## **TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS**

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

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

#### **I. APPLICATION**

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

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

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

#### **II. NONDISCRIMINATION OF EMPLOYEES**

##### **AN ACT OF THE KENTUCKY GENERAL ASSEMBLY TO PREVENT DISCRIMINATION IN EMPLOYMENT KRS CHAPTER 344 EFFECTIVE JUNE 16, 1972**

The contract on this project, in accordance with KRS Chapter 344, provides that during the performance of this contract, the contractor agrees as follows:

1. The contractor shall not fail or refuse to hire, or shall not discharge any individual, or otherwise discriminate against an individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, national origin, sex, disability or age (between forty and seventy); or limit, segregate, or classify his employees in any way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, national origin, sex, disability or age (between forty and seventy). The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

2. The contractor shall not print or publish or cause to be printed or published a notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by the employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, national origin, sex, disability or age (between forty and seventy), except that such notice or advertisement may indicate a preference, limitation, or specification based on religion, or national origin when religion, or national origin is a bona fide occupational qualification for employment.

3. If the contractor is in control of apprenticeship or other training or retraining, including on-the-job training programs, he shall not discriminate against an individual

because of his race, color, religion, national origin, sex, disability or age (between forty and seventy), in admission to, or employment in any program established to provide apprenticeship or other training.

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

#### **III. PAYMENT OF PREDETERMINED MINIMUM WAGES**

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

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

#### **IV. STATEMENTS AND PAYROLLS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any laborer or mechanic in any work-week in which he is employed on such work, to work in excess of eight hours in any calendar day or in excess of forty hours in such work-week unless such laborer or mechanic receives compensation at a rate not less than one and one half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such work-week. A laborer, workman or mechanic and an employer may enter into a written agreement or a collective bargaining agreement to work more than eight (8) hours a calendar day but not more than ten (10) hours a calendar day for the straight time hourly rate. This agreement shall be in writing and shall be executed prior to the employee working in excess of eight (8) hours, but not more than ten (10) hours, in any one (1) calendar day.

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

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

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

Revised 2-16-95

## EXECUTIVE BRANCH CODE OF ETHICS

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

KRS 11A.040 (6) provides:

No present or former public servant shall, within six (6) months of following termination of his office or employment, accept employment, compensation or other economic benefit from any person or business that contracts or does business with the state in matters in which he was directly involved during his tenure. This provision shall not prohibit an individual from returning to the same business, firm, occupation, or profession in which he was involved prior to taking office or beginning his term of employment, provided that, for a period of six (6) months, he personally refrains from working on any matter in which he was directly involved in state government. This subsection shall not prohibit the performance of ministerial functions, including, but not limited to, filing tax returns, filing applications for permits or licenses, or filing incorporation papers.

KRS 11A.040 (8) states:

A former public servant shall not represent a person in a matter before a state agency in which the former public servant was directly involved, for a period of one (1) year after the latter of:

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

This law is intended to promote public confidence in the integrity of state government and to declare as public policy the idea that state employees should view their work as a public trust and not as a way to obtain private benefits.

If you have worked for the executive branch of state government within the past six months, you may be subject to the law's prohibitions. The law's applicability may be different if you hold elected office or are contemplating representation of another before a state agency.

Also, if you are affiliated with a firm which does business with the state and which employs former state executive-branch employees, you should be aware that the law may apply to them.

In case of doubt, the law permits you to request an advisory opinion from the Executive Branch Ethics Commission, Room 136, Capitol Building, 700 Capitol Avenue, Frankfort, Kentucky 40601; telephone (502) 564-7954.



**Kentucky Equal Employment Opportunity Act of 1978**

The requirements of the Kentucky Equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) shall not apply to this Contract.

**TRANSPORTATION CABINET  
DIVISION OF CONSTRUCTION PROCUREMENT  
COMPLIANCE SECTION  
PROJECT WAGE RATES**

---

**WORKERS.....MINIMUM HOURLY  
RATE.....\$7.25**

Note: Parts III and IV of “**Labor and Wage Requirements Applicable to Other Than Federal-Aid System Projects**” do not apply to this project.

# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### FEDERAL MINIMUM WAGE

**\$7.25** PER HOUR

BEGINNING JULY 24, 2009

#### OVERTIME PAY

At least 1½ times your regular rate of pay for all hours worked over 40 in a workweek.

#### CHILD LABOR

An employee must be at least **16** years old to work in most non-farm jobs and at least **18** to work in non-farm jobs declared hazardous by the Secretary of Labor.

Youths **14** and **15** years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

**No more than**

- **3** hours on a school day or **18** hours in a school week;
- **8** hours on a non-school day or **40** hours in a non-school week.

Also, work may not begin before **7 a.m.** or end after **7 p.m.**, except from June 1 through Labor Day, when evening hours are extended to **9 p.m.** Different rules apply in agricultural employment.

#### TIP CREDIT

Employers of “tipped employees” must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

#### ENFORCEMENT

The Department of Labor may recover back wages either administratively or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Employers may be assessed civil money penalties of up to \$1,100 for each willful or repeated violation of the minimum wage or overtime pay provisions of the law and up to \$11,000 for each employee who is the subject of a violation of the Act's child labor provisions. In addition, a civil money penalty of up to \$50,000 may be assessed for each child labor violation that causes the death or serious injury of any minor employee, and such assessments may be doubled, up to \$100,000, when the violations are determined to be willful or repeated. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Act.

#### ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
- Some state laws provide greater employee protections; employers must comply with both.
- The law requires employers to display this poster where employees can readily see it.
- Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

For additional information:



**1-866-4-USWAGE**

(1-866-487-9243)

TTY: 1-877-889-5627



**WWW.WAGEHOUR.DOL.GOV**

## **PART IV**

## **INSURANCE**

## INSURANCE

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

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

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

# **PART V**

## **BID ITEMS**

CONTRACT ID: 122459  
COUNTY: FLOYD  
PROPOSAL: CB01 036 0122 005-006

PAGE: 1  
LETTING: 10/19/12  
CALL NO: 308

LINE NO	ITEM	DESCRIPTION	APPROXIMATE UNIT QUANTITY	UNIT PRICE	AMOUNT
SECTION 0001 ROADWAY					
0010	01987	DELINEATOR FOR GUARDRAIL BI DIRECTIONAL	HITE 4.000 EACH		
0020	02383	REMOVE & RESET GUARDRAIL	187.500 LF		
0030	02562	SIGNS	170.000 SQFT		
0040	02599	FABRIC-GEOTEXTILE TYPE IV	472.000 SQYD		
0050	02650	MAINTAIN & CONTROL TRAFFIC	( 1.00) LS		
0060	03234	RAILROAD RAILS-DRILLED	1,872.000 LF		
0070	03235	EXCAVATION AND BACKFILL	205.000 CUYD		
0080	03236	CRIBBING	1,822.000 SQFT		
SECTION 0002 DEMOBILIZATION					
0090	02569	DEMOBILIZATION (AT LEAST 1.5%)	LUMP		
		TOTAL BID			