



CALL NO. 313

CONTRACT ID. 247002

LETCHER COUNTY

FED/STATE PROJECT NUMBER FD51 067 0317 B00013N 02.81

DESCRIPTION HWY 317 (KY 317)

WORK TYPE BRIDGE REPLACEMENT

PRIMARY COMPLETION DATE 11/15/2024

LETTING DATE: January 25,2024

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN STANDARD TIME January 25,2024. Bids will be publicly announced at 10:00 AM EASTERN STANDARD TIME.

NO PLANS ASSOCIATED WITH 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 - 12

CONTRACT ID - 247002

FD51 067 0317 B00013N 02.81

COUNTY - LETCHER

PCN - MB06703172401

FD51 067 0317 B00013N 02.81

KY 317 067B00013N OVER YONTS FORK AT MP 02.81BRIDGE REPLACEMENT
GEOGRAPHIC COORDINATES LATITUDE 37:12:55.00 LONGITUDE 82:42:19.00
ADT

COMPLETION DATE(S):

COMPLETED BY 11/15/2024	APPLIES TO ENTIRE CONTRACT
50 CALENDAR Days	APPLIES TO 067B00013N

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 [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. 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). 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.

BOYCOTT PROVISIONS

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

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

LOBBYING PROHIBITIONS

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

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

October 4, 2023

1.0 BUY AMERICA REQUIREMENT.

Follow the “Buy America” provisions as required by 23 U.S.C. § 313 and 23 C.F.R. § 635.410. Except as expressly provided herein all manufacturing processes of steel or iron materials including but not limited to structural steel, guardrail materials, corrugated steel, culvert pipe, structural plate, prestressing strands, and steel reinforcing bars shall occur in the United States of America, including the application of:

- Coating,
- Galvanizing,
- Painting, and
- Other coating that protects or enhances the value of steel or iron products.

The following are exempt, unless processed or refined to include substantial amounts of steel or iron material, and may be used regardless of source in the domestic manufacturing process for steel or iron material:

- Pig iron,
- Processed, pelletized, and reduced iron ore material, or
- Processed alloys.

The Contractor shall submit a certification stating that all manufacturing processes involved with the production of steel or iron materials occurred in the United States.

Produce, mill, fabricate, and manufacture in the United States of America all aluminum components of bridges, tunnels, and large sign support systems, for which either shop fabrication, shop inspection, or certified mill test reports are required as the basis of acceptance by the Department.

Use foreign materials only under the following conditions:

- 1) When the materials are not permanently incorporated into the project; or
- 2) When the delivered cost of such materials used does not exceed 0.1 percent of the total Contract amount or \$2,500.00, whichever is greater.

The Contractor shall submit to the Engineer the origin and value of any foreign material used.

2.0 – BUILD AMERICA, BUY AMERICA (BABA)

Contractor shall comply with the Federal Highway Administration (FHWA) Buy America Requirement in 23 C.F.R. § 635.410 and all relevant provisions of the Build America, Buy America Act (BABA), contained within the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, §§ 70901-52 enacted November 15, 2021. The BABA requires iron, steel, manufactured products, and construction materials used in infrastructure projects funded by federal financial assistance to be produced in the United States. Comply with 2 C.F.R § 184.

BABA permits FHWA participation in the Contract only if domestic steel and iron will be used on the Project. To be considered domestic, all steel and iron used, and all products manufactured from steel and iron must be produced in the United States and all manufacturing processes, including application of a coating, for these materials must occur in the United States. Coating includes all processes that protect or enhance the value of the material to which the coating is applied. This requirement does not preclude a minimal use of foreign steel and iron materials, provided the cost of such materials does not exceed 0.1% of the total contract amount under the Contract or \$2,500.00 whichever is greater.

BABA permits FHWA participation in the Contract only if all “construction materials” as defined in the Act are made in the United States. The Buy America preference applies to the following construction materials

SPECIAL NOTE – BUY AMERICA REQUIREMENTS AND BUILD
AMERICA, BUY AMERICA (BABA) ACT

10/26/2023

incorporated into infrastructure projects: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); Fiber optic cable; optical fiber; lumber; engineered wood; and drywall. Contractor will be required to use construction materials produced in the United States on this Project. The Contractor shall submit a certification stating that all construction materials are certified to be BABA compliant.

Finally, BABA permits the continuation of FHWA's current general applicability waivers for manufactured products, raw materials, and ferryboat parts, but these waivers are subject to reevaluation, specifically the general applicability waiver for manufactured products.

The Contractor has completed and submitted, or shall complete and submit, to the Cabinet a Buy America/Build America, Buy America Certificate prior to the Cabinet issuing the notice to proceed, in the format below. After submittal, the Contractor is bound by its original certification.

A false certification is a criminal act in violation of 18 U.S.C. § 1001. The Contractor has the burden of proof to establish that it is in compliance.

At the Contractor's request, the Cabinet may, but is not obligated to, seek a waiver of Buy America requirements if grounds for the waiver exist under 23 C.F.R. § 635.410(c) or will comply with the applicable Buy America requirements if a waiver of those requirements is not available or not pursued by the Cabinet.

Please refer to the Federal Highway Administration's Buy America webpage for more information.

[Buy America - Construction Program Guide - Contract Administration - Construction - Federal Highway Administration \(dot.gov\)](#)

October 26, 2023 Letting

BUY AMERICA / BUILD AMERICA, BUY AMERICA (ACT) MATERIALS CERTIFICATE OF COMPLIANCE

The Contractor hereby certifies that it will comply with all relevant provisions of the Build America, Buy America Act, contained within the Infrastructure Investment and Jobs Act, Pub. L. NO. 117-58, §§ 70901-52, the requirements of 23 U.S.C. § 313, 23 C.F.R. § 635.410 and 2 C.F.R § 184.

Date Submitted:_____

Contractor:_____

Signature:_____

Printed Name:_____

Title:_____

NOTE: THIS CERTIFICATION IS IN ADDITION TO ANY AND ALL REQUIREMENTS OUTLINED IN THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION AND/OR SPECIAL NOTES CONTAINED IN THE PROJECT PROPOSAL.

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

**SPECIAL NOTES
DISTRICT NO. 12
LETCHER COUNTY
BRIDGE REPLACEMENT
CID 247001
BRIDGE NUMBER 067B00013N
FEMA D23A/4663-DR**

FD51 067 0317 B00013N 02.81

KY 317 (HWY 317) over Yonts Fork

Geographic Coordinates

Latitude 37° 12' 55.00'' (37.2154)

Longitude -82° 42' 19.00'' (-82.7052)

**SPECIAL NOTES FOR BRIDGE REPLACEMENT
067B00013N**

SPECIAL NOTE FOR CULVERT REPLACEMENT

MODIFIED SPECIAL NOTE FOR ALUMINUM AND STEEL STRUCTURAL PLATE
BOX CULVERTS

SPECIAL NOTE FOR CONTRACT COMPLETION DATE AND PENALTIES

SPECIAL NOTE FOR BRIDGE PLANS

SPECIAL NOTES FOR CULVERT REPLACEMENT

I. DESCRIPTION

Perform all work in accordance with the Department's 2019 Standard and Supplemental Specifications, applicable Special Provisions and Special Notes, and Standard and Sepia Drawings, except as hereafter specified. Article references are to the Standard Specifications. This work shall consist of:

(1) Site preparation; (2) Clearing and grubbing and removal of all obstructions; (3) Removal of existing structure; (4) Drilling and blasting, if required, and common and solid rock excavation; (5) Constructing aluminum structural plate box culvert; (6) Constructing embankment, roadway, pavement, and shoulders; (7) Restoration, final dressing, cleanup, and seeding; (8) Maintain and control traffic; and (9) Any other work as specified by this contract.

I. MATERIALS AND DESIGN

All materials shall be sampled and tested in accordance with the Department's Sampling Manual. Make the materials 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. Aluminum or Steel Box Culvert. Provide meeting the requirements of Special Note for Aluminum and Steel Structural Plate Culverts 9V.

B. Foundation Preparation and Bedding. Provide meeting the requirements of Special Note for Aluminum and Steel Structural Plate Culverts 9V.

C. Pavement and Shoulders. See Roadway Plans.

D. Seeding and Protection. Use Seed Mixture No. III.

E. Erosion Control. See Roadway Plans.

F. Maintain and Control Traffic. See MOT Notes Sheet.

III. CONSTRUCTION METHODS

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

Culvert Replacement

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B. Site Preparation. Be responsible for all site preparation, including, but not limited to: clearing and grubbing; tree removal, common and solid rock excavation, backfilling and embankment in place; removal of existing culvert, obstructions, or any other items; disposal of materials, waste, and debris; temporary fencing to provide positive barrier to adjacent property owners livestock; temporary and permanent erosion control; restoration, final dressing, cleanup, and seeding and protection. Perform all site preparation only as approved or directed by the Engineer.

C. Excavation and Removal of Existing Structures. Sawcut pavement to a neat edge and remove the existing culvert. Be responsible for all common and solid rock excavation, pavement removal, and removal of existing structure. Provide positive drainage of slopes and ditches at all times during and upon completion of construction. Waste all removed materials at sites off the right of way obtained by the Contractor at no additional cost to the Department. Perform all excavation and removal of existing structure only as approved or directed by the Engineer.

D. Structure Excavation. Be responsible for all excavation required for foundation preparation, box culvert, head walls or end walls, wing walls, toe walls, and all other excavation required by the work. Excavate rock in channel as required to allow for installation of bedding and culvert with the designed fill cover height. Provide positive drainage of slopes and ditches at all times during and upon completion of construction. Waste all excavation at sites off the right of way obtained by the Contractor at no additional cost to the Department. Perform all structure excavation only as approved or directed by the Engineer.

E. Foundation Preparation and Bedding. Provide meeting the requirements of Special Note for Aluminum and Steel Structural Plate Culverts 9V.

F. Aluminum Box Culvert. Construct the box culvert in accordance with Special Note 9V, except as specified in these notes. Provide for the box culvert manufacturer to furnish an expert field engineer on site during all phases of the fabrication, construction, backfilling, and guardrail installation over culvert for consulting purposes. Deliver the culvert fully assembled, assemble the box culvert adjacent to the project site prior to any excavation or structure removal, or assemble the box culvert in the excavated hole. Be responsible for field layout and survey of the proposed culvert. Obtain the Engineer's approval of the final centerline, flow line and skew prior to backfilling. Provide positive drainage upon completion of the project.

G. Head walls, End Walls, Wing Walls, Toe Walls and Aprons. Construct head walls, end walls, wing walls, and toe walls according to the box culvert manufacturer's approved design or as approved by the Engineer.

Culvert Replacement

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H. Backfill and Embankment. Construct granular backfill and embankments as directed by the Engineer. Warp finished slopes to match existing undisturbed slopes as directed by the Engineer. Provide positive drainage of slopes and ditches at all times during and upon completion of construction.

I. Channel Lining. Place channel lining to protect wing walls and slopes as directed by the Engineer. In addition to the requirements of section 703, additional hand placement may be required. See the Roadway Plans for channel lining class and limits.

J. Clean and Re-establish the Existing Shoulders and Ditches. Grade and restore the shoulders and ditches in the project limits to match the existing adjacent features to be left in place or as directed by the Engineer. Provide positive drainage of slopes and ditches at all times during and upon completion of construction.

K. Pavement & Shoulder Restoration. Restore pavement and shoulders over the culvert trench and transition to match the adjacent undisturbed typical section. Provide positive drainage of pavement and shoulders at all times during and upon completion of construction. After constructing culvert, backfill, and embankment, construct DGA and approach base widening and reopen the road to traffic. After opening to traffic, correct settlement, as applicable, until the Engineer determines the culvert backfill and base are sufficiently stabilized to allow placement of asphalt base and surface. Once stabilized, construct final asphalt base and surface courses. Restore pavement and shoulders outside the culvert trench and base widening areas.

L. Final Dressing, Clean Up, and Seeding and Protection. After all work is completed, completely remove debris from the construction site. Perform Class A Final Dressing on all disturbed areas, both on and off the Right of-Way. Sow all disturbed earthen areas with Seed Mixture No. III.

M. Restoration. Be responsible for all damage to public an/or private property resulting from the work. Restore all damaged features in like kind materials and design.

N. On-Site Inspection. Make a thorough inspection of the site prior to submitting a bid and be thoroughly familiar with existing conditions so that the work can be expeditiously performed after a contract is awarded. The Department will consider submission of a bid as evidence of this inspection having been made and will not honor any claims resulting from site conditions.

O. Caution. Do not take information shown on the plans and in this proposal and the types and quantities of work listed as an accurate or complete evaluation of the material and conditions to be encountered during construction. Without regard to the materials encountered, all roadway excavation shall be unclassified. It shall be distinctly understood that any reference to rock, earth, or any other material on the plans or cross sections, whether in numbers or words, letters, or lines, is solely for the Department's information and is not to

Culvert Replacement

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be taken as an indication of classified excavation or the quantity of either rock, earth, or any other material involved. The bidder must draw his own conclusion as to the conditions encountered. The Department does not give any guarantee as to the accuracy of the data and no claim will be considered for additional compensation if the conditions encountered are not in accordance with the information shown.

P. Right-of-Way Limits. The department has determined exact limits of Right-of-Way. Limit work activities to obvious Right-of-Way, permanent or temporary Easements, and work areas secured by the Department through consent and release of the adjacent property owners. Be responsible for all encroachments onto private lands. See Roadway Plans for Right-of-Way limits and allowable disturbance through consent and release.

Q. Utility Clearance. Work around and do not disturb existing utilities. It is not anticipated that any utility facilities will require relocation and/or adjustment; however, in the event utilities are discovered, 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 due to the utility company's phase of the work, 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.

IV. METHOD OF MEASUREMENT

Only the bid items listed will be measured for payment. All other items required to complete the work shall be incidental to the listed items.

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

B. Site Preparation. Site Preparation will not be measured for payment and will be considered incidental to new culvert installation.

C. Foundation Preparation. Foundation Preparation shall be in accordance with Section 603 of the Specifications.

D. Channel Lining Class III and Class IA. Channel Lining Class III and Class IA will be measured in tons.

E. Erosion Control Plan. See Roadway Plans.

F. Clearing and Grubbing, Excavation and Embankment. Contrary to Sections 202, 204, 205, and 206, Clearing and Grubbing, Roadway Excavation, Structure Excavation, Borrow Excavation, Embankment in Place, and granular backfill (See SN 9V) will not be measured for separate payment, but shall be incidental to Site Preparation.

G. Backfill Material. Backfill materials will not be measured for payment but shall be incidental to the box culvert.

H. Box Culvert. See Special Note 9V; however, contrary to Special Note 9V, culvert design, manufacturer’s technical representative, head walls, end walls, wing walls, corner panels, toe walls and invert will not be measured for separate payment, but shall be incidental to the box culvert.

I. Restoration, Final Dressing, Clean Up, and Seeding and Protection. Restoration, final dressing, clean up, and seeding and protection will not be measured for payment, but shall be incidental to Site Preparation and erosion control plan as applicable.

V. Basis of Payment

No direct payment will be made other than for the bid items listed. All other items required to complete the construction shall be incidental to the bid items listed.

A. Maintain and Control Traffic. See Roadway Plans, MOT Notes Sheet.

B. Box Culvert. Payment at the contract unit price per linear foot shall be full compensation for all materials, equipment, labor and incidentals necessary to complete the work as specified in these notes and the Standard Specifications for site preparation, culvert design and manufacturer’s representative; structural plate box culvert, headwalls, end walls, corner panels, wing walls, and toe walls.

<u>Code</u>	<u>Pay Item</u>	<u>Pay Unit</u>
20694EN	Aluminum Structural Plate Box Culvert	Linear Foot
20695EN	Steel Structural Plate Box Culvert	Linear Foot

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MODIFIED SPECIAL NOTE FOR ALUMINUM AND STEEL STRUCTURAL PLATE BOX CULVERTS

This Special Note will apply when indicated on the plans or in the proposal. Section references herein are to the Department's 2019 Standard Specifications for Road and Bridge Construction.

1.0 DESCRIPTION. Furnish and install either an aluminum or a steel structural plate box culvert. The structure was sized for a shape 56 ALBC type structure provided by Contech. Provide Contech shape 56 or approved equivalent with the same minimum hydraulic opening.

2.0 MATERIALS.

2.1 Structure. These structures consist of prefabricated sections assembled and erected at the site. Prefabricated sections consist of corrugated aluminum or steel plates which have been factory shaped, punched, and coated when required. The Department will not permit field modification except for tapping saddles or other devices to permit passage of other conduits or utilities through the structure. Furnish and install all auxiliary items such as ribs, wales, stiffeners, footing pads, etc. that the design requires. Furnish and install endwalls and toewalls when the plans require them. When endwalls are required, construct full height wing sections. Do not field bevel cut wing sections.

Before beginning erection, furnish to the Engineer applicable shop drawings, erection layouts, and manufacturer's brochures for submittal to the Division of Construction. Indicate the location of the drawing number, design load (as applicable), contract award year, and contractor stencils on the shop drawings. If a drawing number has not been assigned for the structure, obtain one from the Division of Structural Design. The Department will accept plates and accessories by certificate of compliance from the manufacturer. Upon completion of construction, submit to the Division of Structural Design an as-built set of structure plans and reviewed shop drawings in 22 inch by 36 inch Portable Document Format (PDF) for archiving.

2.1.1 Aluminum Structure. Obtain the aluminum structural plate box culvert, and aluminum endwalls or toewalls when required, from either Contech Construction Products or Lane Metal Products.

The Department will accept comparable aluminum structures produced by other companies when the Engineer approves. For such approval, submit sufficient data and design calculations to show that the proposed structures are equal in all respects to the Contech product and also include evidence of actual installations now in service that are performing satisfactorily. Design according to the current AASHTO LRFD Bridge Design Specifications, except design for KYHL-93 live load. The KYHL-93 live load is arrived at by increasing the standard AASHTO HL-93 truck and lane loads as specified in the AASHTO Specifications by 25%. Do not consider as a tunnel or tunnel liner plate for design. Before beginning erection, furnish the Engineer applicable shop drawings and structural design calculations performed, stamped, and signed by a qualified Professional Engineer licensed to practice in the State of Kentucky.

Use aluminum accessories and plates, of the plan specified thickness, that conforms to AASHTO M 219 or ASTM B 308 as applicable. All nuts, bolts, washers, and other attachments shall also be aluminum. Galvanized steel will not be allowed.

Where non-aluminum utilities are passed through, insulate with an aluminastic compound or approved equal, to prevent bi-metallic contact.

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2.1.2 Steel Structure. Use either (1) Contech Construction Products' Multi-Plate Steel Box Culvert; or (2) Lane Metal Products Company's Low Profile Box Culvert.

The Department will accept comparable steel structures produced by other companies when the Engineer approves. For such approval, submit sufficient data and design calculations to show that the proposed structures are equal in all respects to those specified above and also include evidence of actual installations now in service that are performing satisfactorily. Design according to the current AASHTO LRFD Bridge Design Specifications, except design for KYHL-93 live load. The KYHL-93 live load is arrived at by increasing the standard AASHTO HL-93 truck and lane loads as specified in the AASHTO Specifications by 25%. Do not consider as a tunnel or tunnel liner plate for design. Before beginning erection, furnish the Engineer applicable shop drawings and structural design calculations performed, stamped, and signed by a qualified Professional Engineer licensed to practice in the State of Kentucky.

Use steel plates, of the plan specified thickness, that conform to AASHTO M 167 for galvanized steel. All accessories such as nuts, bolts, washers, and other attachments shall be stainless steel conforming to ASTM A240. Galvanized steel for accessories will not be allowed.

2.2 Asphalt Coating. On all steel drainage structures, except those installed as railroad tunnels, cattle underpasses, bicycle or pedestrian underpasses, or similar dry conditions, apply an asphalt coating conforming to Subsection 806.06.

2.3 Bedding Material. Use granular material with 100% passing 1 inch sieve that conforms to Subsection 804.08. Bedding shall be placed at a minimum thickness of twice the corrugation depth.

2.4 Backfill Material. Select any of the following alternates and obtain the Engineers approval.

- 1) well graded or uniformly graded bank or creek gravel, crushed or uncrushed, up to 3 inches maximum size;
- 2) well graded or uniformly graded natural or crushed sand;
- 3) finely shot limestone or sandstone providing no individual fragment is larger than 3 inches and the material contains no more than 5 percent dirt and/or shale, as determined by visual inspection by the Engineer;
- 4) crushed stone or crushed slag up to 3 inches maximum size (except DGA or Size No. 610);
- 5) other locally available materials meeting the approval of the Engineer (local soils conforming to soil classifications A-2-4 or A-2-5 from AASHTO M 145 will be acceptable). Do not use plastic soils, or materials containing significant amounts of nondurable shale (SDI < 95 by KM 64-513); or
- 6) flowable fill conforming to Subsection 601.03.03, B), 5).

2.5 Foundation Material. Use material capable of supporting the imposed loads due to backfill weight and footing pressures of 2 tons per square foot.

2.6 HDPE Membrane. Place a high density polyethylene liner over structure to

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protect it from de-icing salts. Use manufacturer recommended materials and placement methods. At a minimum, use a 30 mil HDPE liner, placed over the structure and sloped to drain away from structure. The liner shall cover the entire length of structure plus an additional 2' outside. Place a 6 inch perforated pipe, with holes positioned in the top of pipe at the ends of the liner in a way to sufficiently drain water. Place liner above the first radial lift of backfill.

3.0 CONSTRUCTION.

3.1 Technical Representative. Provide a technical representative from the structure manufacturer to advise at the start of the project. Ensure the technical representative is available thereafter to assist in the event problems or special circumstances arise. Technical assistance shall be provided at no additional cost to the Department.

3.2 Site Preparation. Perform structure excavation according to Section 603, except as modified herein.

On structures with footing pads, excavate trenches 3 inches below the elevation shown on the plans, and level the bottom of the trench with 3 inches of bedding material before placing the footing pads.

On structures with a full metal invert, excavate the entire area covered by the invert plates to accommodate bedding material placement to a minimum thickness of twice the corrugation depth before placing the invert plates.

Take soundings for foundation design at the inlet and outlet of each culvert and at intervals no greater than 20 feet along the grade line of the bottom of the culvert, to a depth of one foot. Make soundings on the centerline and at each edge of the culvert. Where ledge rock, gravel, hardpan, or other unyielding material is encountered or known to exist within the limits stated, perform excavation in the area under the invert plates or footing pads. Extend the additional excavation to a depth of $0.042 H$ below the bottom of the metal plates, where H is the height of fill above the top of the culvert. However, regardless of the height of fill, the Department will require the additional depth to be a minimum of one foot and will not require it to be more than $0.75 H_c$, where H_c is the total height of the culvert.

Backfill the additional excavation with an earth cushion of firmly compacted fine soils in layers of 6 inches or less, prior to placing the sand bedding layer.

Excavate cross trenches as necessary to place metal toewalls when the plans require them.

Excavate a minimum width of the outside dimension of the box culvert including footing pads or invert plates plus 6 inches on each side.

Proper bedding preparation is critical for satisfactory performance of the box culvert. Place the bed for footing pads or invert plates to uniform lines and grade to avoid distortions and undesirable stresses in the structure.

Construct concrete footings or bottom slabs in accordance with the plans and standard specifications.

3.3 Installation. Erect the culvert, and endwalls when required, in strict accordance with the manufacturer's recommendations. The Department will allow offsite assembly of the structure, provided prior approval is obtained, and assembly is in accordance with the manufacturer's instructions. Structural plates shall be assembled with their inside circumferential sheet laps pointing downstream. Align plates circumferentially to avoid permanent distortion from the specified shape. Ensure the width and height of the completed structure is within 2 percent of the specified dimensions or 2 inches, whichever is greater.

Tighten bolts in the erected structure according to the manufacturer's

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recommendations, with good seam laps, while in proper shape, using nuts and bolts the manufacturer supplies. Construct concrete footings and headwalls in accordance with the plans.

Install the ribs, wales, and toewalls when required, according to the manufacturer's recommendations.

In side-by-side installations, install the box culverts with footing pads or invert plates of each culvert no closer than 2 feet to the footing pads or invert plates of the adjacent culvert, unless the plans show otherwise. Excavate the entire volume between the culverts and place backfill.

3.4 Backfill. Proper placement and compaction of backfill are essential to obtain maximum strength and stability of the finished structure. Use equipment and construction procedures to prevent excessive structure distortion from occurring. The manufacturer of the structure will specify the magnitude of allowable shape changes during backfill. Monitor the shape of the structure to control distortion until all backfilling operations are completed.

On structures with concrete footing pads, backfill the trench for the pads to the flowline inside the culvert before outside backfilling begins.

Place granular backfill material in horizontal layers not exceeding 6 inches loose depth, and bring up uniformly on both sides of the structure. Compact each layer to the same level on all sides before proceeding to the next lift. Do not use compaction equipment or methods that produce earth pressures that cause distortion or damage. Place material on top of the structure at right angles to the centerline of the structure. Compact each layer of backfill to a density of at least 95 percent of the maximum density according to KM 64-511. The Department will determine the in-place density using nuclear gages. The Engineer may waive density testing when not feasible due to the nature of the material. When using flowable fill, place according to Subsection 601.03.09, C).

If the structure is not installed in a full depth trench, use backfill material for embankment adjacent to the structure for a distance equal to the span width on each side of the box culvert and to a height of 2 feet or subgrade elevation, whichever is lower, above the structure.

3.5 Construction Loads. Do not allow construction loads in excess of HS-20 vehicles to cross the completed box culvert unless it is internally braced. Design the support for such bracing so as not to impair the structural integrity or severely interfere with the hydraulics of the box culvert or its invert. Have the culvert manufacturer review the details of the bracing and submit them to the Engineer for approval.

3.6 Headwalls. Construct concrete headwalls, when required, according to the plans. Apply masonry coating to exposed surfaces of the headwalls when required by Subsection 601.03.18, B). When using an aluminum structure, coat aluminum surfaces that will be in contact with concrete with alumilastic compound or an approved equal prior to placing concrete.

4.0 MEASUREMENT.

4.1 Foundation Preparation. The Department will measure Foundation Preparation for all work performed as a lump sum. The Department will not measure cofferdams, shoring, dewatering, common excavation, or backfill for payment, and will consider them incidental to this bid item. The Department will measure Structure Excavation Solid Rock and removal of unsuitable foundation material and refill separately for payment. The Cabinet will pay Structure Excavation Common when conditions are such that excavation

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is required two (2) feet beyond bottom of foundation elevations.

The Department will not measure flowable fill for payment and will consider it incidental to the structure.

The Department will not measure bedding for payment and will consider it incidental to the structure.

4.2 Aluminum Structural Plate Box Culvert. The Department will measure the quantity in linear feet at each location. The Department will consider the number of linear feet in each installation to be the plan length, increased or decreased by authorized adjustments. The Department will not measure ribs, wales, stiffeners, footing pads, toewalls, endwalls, internal braces, or asphalt coating for payment and will consider them incidental to the structure.

4.3 Steel Structural Plate Box Culvert. See 4.2.

4.4 Class A Concrete. The Department will measure Class A Concrete in footings and headwalls according to Subsection 601.04.

4.5 Reinforcement. The Department will measure Steel Reinforcement in the footings and headwalls according to Subsection 602.04.

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

<u>Code</u>	<u>Pay Item</u>	<u>Pay Unit</u>
20694EN	Aluminum Structural Plate Box Culvert	Linear Foot
20695EN	Steel Structural Plate Box Culvert	Linear Foot
----	Foundation Preparation	Lump Sum
----	Concrete, Class	See Section 601.05
----	Steel Reinforcement	See Section 602.05

The Department will consider payment as full compensation for all work required in this note.

SPECIAL NOTE FOR CONTRACT COMPLETION DATE AND PENALTIES

1. **COMPLETION DATE.** The Contractor has the option of selecting the starting date for this Contract. Once selected, notify the Department in writing of the date selected at least two weeks prior to beginning work. All work is to be completed by the date listed below. An allotted number of Calendar days are assigned to each structure in this contract as shown below.

<u>STRUCTURE</u>	<u>NO. OF CALENDAR DAYS</u>	<u>COMPLETION DATE</u>
067B00013N	50	November 15, 2024

All work for installation and removal of the By-pass Diversion will be excluded from the 50 allotted calendar days.

Contrary to Section 108.07.03, the Engineer will begin charging calendar days for a structure on the day the Contractor starts work or sets up traffic control on that particular structure. A **penalty of \$500.00 per day** will be assessed when the allotted number of calendar days is exceeded for each structure.

All construction must be completed in accordance with the weather limitations specified in Section 606 and/or Section 601 as applicable. No extension of Contract time will be granted due to inclement weather or temperature limitations that occur due to starting work on the Contract or a structure late in the construction season.

SPECIAL NOTE FOR BRIDGE PLANS

See Project Related Information for Bridge Plans.
Bridge Drawing Number 28580 with Roadway Plans.

Special Note for Bridge Demolition, Renovation and Asbestos Abatement

If the project includes any bridge demolition or renovation, the successful bidder is required to notify Kentucky Division for Air Quality (KDAQ) via filing of form (DEP 7036) a minimum of 10 working days prior to commencement of any bridge demolition or renovation work.

Any available information regarding possible asbestos containing materials (ACM) on or within bridges to be affected by the project has been included in the bid documents. These are to be included with the Contractor's notification filed with the KDAQ. If not included in the bid documents, the Department will provide that information to the successful bidder for inclusion in the KDAQ notice as soon as possible. If there are no documents stating otherwise, the bidders should assume there are no asbestos containing materials that will in any way affect the work.



Linebach ■ Funkhouser, Inc.
ENVIRONMENTAL COMPLIANCE & CONSULTING

Asbestos Inspection Report

To: Derek Adams, H W Lochner, Inc.

Date: September 16, 2022

Conducted By: Russell H. Brooks, LFI, Inc.

Project and Structure Identification

Project: Letcher County

Structure ID: #067C00013N

Structure Location: Bridge over Yonts Fork, Letcher County, Kentucky

Sample Description: No suspect asbestos containing (ACM) were observed

Inspection Date: September 16, 2022

Results and Recommendations

The asbestos inspection was performed in accordance with current United States Environmental Protection Agency (US EPA) regulations, specifically 40 CFR Part 61, Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP) revision, final rule effective November 20, 1990.

It is recommended that this report accompany the 10-Day Notice of Intent for Demolition ([DEP7036 Form](#)) which is to be submitted to the Kentucky Division of Air Quality prior to abatement, demolition, or renovation of any building or structure in the Commonwealth. The form is to be submitted online at <https://dep.gateway.ky.gov/eForms/Account/Home.aspx>

No suspect asbestos containing (ACM) were observed.

Commonwealth of Kentucky
Department for Environmental Protection
Division for Air Quality

Russell Henry Brooks

Has met the requirements of 401 KAR 58:005 and is accredited as an:

Asbestos Inspector

Agency Interest Id:

138451

License Number:

71841

Issue Date:

03/24/2022

Expiration Date:

03/15/2023

DEP 7038

**NOTIFICATION OF ASBESTOS
ABATEMENT/DEMOLITION/RENOVATION**
(Instructions for completing form on back)

File this form with *Regional Office where project will be performed*

Kentucky Division for Air Quality
300 Sower Boulevard, 2nd Floor
Frankfort, KY 40601

PAGE 1 OF

INITIAL SUBMITTAL DATE

REVISION DATE

NOTIFICATION #

OFFICE USE ONLY

ID #

LOG #

Contractor

Address

City

State

Zip

Phone

Contact Person

Owner

Address

City

State

Zip

Phone

Contact Person

Project Location

Address

City

State

Zip

Facility Age (yrs.)

Size of Facility or Affected Part (sq.ft.)

#Floors Affected

Present and Prior Use of Facility

TYPE OF PROJECT (CHECK ONLY ONE):

Renovation

Demolition

Ordered Demolition

Emergency

Long-term

PROJECT DATES:

Start Removal

End Removal

Start Renovation/Demolition

End Renovation/Demolition

Amount of ACM to be Removed:

	Regulated ACM (FACM)	Category II nonfriable ACM (optional)	Category I nonfriable ACM (optional)
Linear Feet			
Square Feet			
Cubic Feet			

Description of planned renovation/demolition, including abatement methods
& demo/reno methods.

Description of affected facility components

Asbestos detection technique

Amount of Cat. I & II nonfriable ACM involved but will not be removed:

Describe physical characteristics that make it nonfriable and methods
to keep it nonfriable (optional):

Describe contingency plan should nonfriable ACM become friable or
additional ACM be uncovered during renovation/ demolition:

Transporter

Address

City

State

Zip

Phone

Disposal Site

Address

City

State

Zip

I hereby certify that at least one person trained as required by 40 CFR
61.145(c)(8) will supervise the abatement work described herein. (optional
for strictly non-friable work)

Submitted by:

Company Name:

INSTRUCTIONS FOR COMPLETING FORM DEP7036: NOTIFICATION OF ASBESTOS ABATEMENT/DEMOLITION/RENOVATION

Filing Deadline: This form must be completed and filed with the Kentucky Division for Air Quality at least ten (10) working days before starting any asbestos removal, demolition, or other work which will disturb asbestos-containing material (ACM) in Kentucky facilities outside Jefferson County and in schools statewide, including Jefferson County. File with appropriate Regional Office.

Renotification: If developments occur that invalidate information on a notification (e.g., changes in dates, amounts, locations), file a revised form within the time frames specified in 401 KAR 58:025. Notifications may be numbered in the top-left corner (optional). First two digits are project year; remaining digits are project number (e.g., the first project in 1999 is 99-1).

Attachments: Attachments may be included to provide additional information, propose alternative procedures, declare nonfriable removal, identify secondary transporters, etc.

Line-by-Line Instructions:

Contractor/Owner: the contractor is the asbestos remover (or, for zero-asbestos demolitions, the demolition contractor). The owner is the entity having the work done.

Project Location: The location at the address given where the work is taking place (e.g., which building/floor/room?).

Present/Prior Use: Enter the present and prior use(s) of the facility.

Type of Project: Each choice shown in this category has a specific description under 401 KAR 58:025:

Emergency renovations result from a sudden, unexpected event. If the project is an emergency renovation, attach a detailed description of the sudden, unexpected event that necessitated removal. Include the exact date and hour the event occurred and explain how the event caused an unsafe condition, or would cause equipment damage or unreasonable financial burden.

Planned renovations are renovations that do not qualify as emergency renovations.

A long-term notification is a type of planned renovation which involves a number of nonscheduled small-scale removals whose annual total exceeds the NESHAP threshold amounts and can be estimated based on past years' experience. File yearly estimate at least 10 working days before the beginning of the calendar year for which a long-term notification is being given.

Demolitions involve the wrecking or taking out of a load-supporting structural member, such as a load-bearing beam or wall. Tearing down a structure, dismantling it piecemeal, and moving it from one place to another are all considered demolitions.

Ordered demolitions must result from a demolition order issued by a government agency because the building is structurally unsound and in danger of imminent collapse. For ordered demolitions, attach to the notification a signed, dated copy of order that includes demolition deadlines and name/title/authority of the government representative issuing the order.

Project Dates: Schedules must be precise and accurate. The "start removal" date is the date the removers arrive on-site and begin physically preparing the work area for removal. "End removal" is the date the removers dismantle the work area after cleaning and clearing it. If circumstances arise that invalidate previously submitted start dates, a revised notification must be submitted showing the updated, correct start date. If the start date has been moved up, submit written renotification at least ten working days before the new start date. If the start date has been moved back, telephone the Division as soon as possible before the original date and submit written renotification no later than the original start date.

Schedules for renovation and demolition (next line after removal schedule) are handled similarly, except that renotification is required only for schedule changes involving demolitions, not renovations.

Amount of ACM: In this table, enter the amount and type (RACM, Category I, and/or Category II) of asbestos that will be removed. Although the regulation does not require you to identify the amount of nonfriable ACM that will be removed, the table provides space for nonfriable ACM to accommodate those notifiers who choose to document these removals.

Description of project: Describe the demolition or renovation work to be performed and method(s) to be used, including work practices and engineering controls to be used.

Asbestos Detection Technique: Give a general description of the asbestos survey, for example, "AHERA-style survey by accredited inspector; samples analyzed by PLM."

Amount of nonfriable ...: If all nonfriable ACM will be properly removed, enter "NA."

Contingency Plans: If Category II nonfriable ACM becomes crumbled, pulverized, or reduced to powder, or if additional RACM is discovered, describe procedures to be followed. For example, "Move demolition activity away from ACM immediately; remove the ACM using regulation-required procedures." Even "Stop work, call Division for Air Quality" is OK.



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

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

RIGHT OF WAY CERTIFICATION

<input checked="" type="checkbox"/>	Original	<input type="checkbox"/>	Re-Certification	RIGHT OF WAY CERTIFICATION	
ITEM #		COUNTY		PROJECT # (STATE)	PROJECT # (FEDERAL)
12-55.00 (12-0193.OTH)		Letcher County		1300 FD51 121 1574601R	9020(491)
PROJECT DESCRIPTION					
Yonts Fork/Hemphill					
<input type="checkbox"/> No Additional Right of Way Required					
Construction will be within the limits of the existing right of way. The right of way was acquired in accordance to FHWA regulations under the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended. No additional right of way or relocation assistance were required for this project.					
<input checked="" type="checkbox"/> Condition # 1 (Additional Right of Way Required and Cleared)					
All necessary right of way, including control of access rights when applicable, have been acquired including legal and physical possession. Trial or appeal of cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right-of-way, but all occupants have vacated the lands and improvements, and KYTC has physical possession and the rights to remove, salvage, or demolish all improvements and enter on all land. Just Compensation has been paid or deposited with the court. All relocations have been relocated to decent, safe, and sanitary housing or that KYTC has made available to displaced persons adequate replacement housing in accordance with the provisions of the current FHWA directive.					
<input type="checkbox"/> Condition # 2 (Additional Right of Way Required with Exception)					
The right of way has not been fully acquired, the right to occupy and to use all rights-of-way required for the proper execution of the project has been acquired. Some parcels may be pending in court and on other parcels full legal possession has not been obtained, but right of entry has been obtained, the occupants of all lands and improvements have vacated, and KYTC has physical possession and right to remove, salvage, or demolish all improvements. Just Compensation has been paid or deposited with the court for most parcels. Just Compensation for all pending parcels will be paid or deposited with the court prior to AWARD of construction contract					
<input type="checkbox"/> Condition # 3 (Additional Right of Way Required with Exception)					
The acquisition or right of occupancy and use of a few remaining parcels are not complete and/or some parcels still have occupants. All remaining occupants have had replacement housing made available to them in accordance with 49 CFR 24.204. KYTC is hereby requesting authorization to advertise this project for bids and to proceed with bid letting even though the necessary right of way will not be fully acquired, and/or some occupants will not be relocated, and/or the just compensation will not be paid or deposited with the court for some parcels until after bid letting. KYTC will fully meet all the requirements outlined in 23 CFR 635.309(c)(3) and 49 CFR 24.102(j) and will expedite completion of all acquisitions, relocations, and full payments after bid letting and prior to AWARD of the construction contract or force account construction.					
Total Number of Parcels on Project		1	EXCEPTION (S) Parcel #		ANTICIPATED DATE OF POSSESSION WITH EXPLANATION
Number of Parcels That Have Been Acquired					
Signed Deed		1			
Condemnation		0			
Signed ROE		0			
Notes/ Comments (Text is limited. Use additional sheet if necessary.)					
LPA RW Project Manager			Right of Way Supervisor		
Printed Name			Printed Name	Joe Tackett	
Signature			Signature	<i>Joe Tackett</i>	
Date			Date	11/3/2023	
Right of Way Director			FHWA		
Printed Name	2023.11.03		Printed Name	No Signature Required as per FHWA-KYTC Current Stewardship Agreement	
Signature	<i>Charles Hale</i> 08:45:06		Signature		
Date	-04'00'		Date		

UTILITIES AND RAIL CERTIFICATION NOTE

**Letcher County
FE02 067 B00013N**

**D23A/4663-DR
Replace Bridge 067B00013N KY 317 over Yonts Fork
ITEM NUMBER: 12-0193.OTH**

PROJECT NOTES ON UTILITIES

For all projects under 2000 Linear feet which require a normal excavation locate request pursuant to KRS 367.4901-4917, the awarded contractor shall field mark the proposed excavation or construction boundaries of the project (also called white lining) using the procedure set forth in KRS 367.4909(9)(k). For all projects over 2000 linear feet, which are defined as a "Large Project" in KRS 367.4903(18), the awarded contractor shall initially mark the first 2000 linear feet minimally of proposed excavation or construction boundaries of the project to be worked using the procedure set forth in KRS 367.4909(9)(k). This temporary field locating of the project excavation boundary shall take place prior to submitting an excavation location request to the underground utility protection Kentucky Contact Center. For large projects, the awarded contractor shall work with the impacted utilities to determine when additional white lining of the remainder of the project site will take place. This provision shall not alter or relieve the awarded contractor from complying with requirements of KRS 367.4905 to 367.4917 in their entirety.

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

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.

The contractor shall make every effort to protect underground facilities from damage as prescribed in the Underground Facility Damage Protection Act of 1994, Kentucky Revised Statute KRS 367.4901 to 367.4917. It is the contractor's responsibility to determine and take steps necessary to be in compliance with federal and state damage prevention directives. The contractor is instructed to contact KY 811 for

UTILITIES AND RAIL CERTIFICATION NOTE

**Letcher County
FE02 067 B00013N**

**D23A/4663-DR
Replace Bridge 067B00013N KY 317 over Yonts Fork
ITEM NUMBER: 12-0193.OTH**

the location of existing underground utilities. Contact shall be made a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY 811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom are to be contacted through their individual Protection Notification Center. It may be necessary for the contractor to contact the County Court Clerk to determine what utility companies have facilities in the area. Non-compliance with these directives can result in the enforcement of penalties.

Utility coordination efforts determined that no significant utility relocation work is required to complete the project. Any work pertaining to these utility facilities is defined in the bid package and is to be carried out as instructed by the Kentucky Transportation Cabinet. The contractor will be responsible for any coordination or adjustments that are discussed or quantified in the proposal.

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

AT&T – Telephone – AT&T has facilities within the project limits. The contractor is required to use caution when working near the lines. Any damage to the lines will be at the expense of the contractor.

KY Power AEP – Electric – Have electric lines located within the project area. Contractor must contact KY Power (See contact information) one week prior to working in the area. The contractor is required to always keep a 10' clearance from overhead power lines. Contractor can discuss with KY Power AEP concerning shielding the power lines during construction. Any cost related to this work is the financial responsibility of the contractor. Additionally, any damage to the lines will be at the expense of the contractor.

City of Fleming-Neon – Water – Water main facilities are located outside of the immediate construction area. City of Fleming-Neon service (and non-affiliated service lines) are noted within the project area. Contractor should request the City of Fleming-Neon mark the service lines by calling 606-634-0295 prior to starting any work. In the event one of these lines is exposed/damaged the contractor shall call the City of Fleming-Neon immediately. The contractor will be responsible for any damage to the lines if appropriately marked.

UTILITIES AND RAIL CERTIFICATION NOTE

<p>Letcher County FE02 067 B00013N D23A/4663-DR Replace Bridge 067B00013N KY 317 over Yonts Fork ITEM NUMBER: 12-0193.OTH</p>

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

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

Not Applicable

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

Not Applicable

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

Not Applicable

RAIL COMPANIES HAVE FACILITIES IN CONJUNCTION WITH THIS PROJECT AS NOTED

☒ No Rail Involvement ☐ Rail Involved ☐ Rail Adjacent

UTILITIES AND RAIL CERTIFICATION NOTE

<div>Letcher County FE02 067 B00013N D23A/4663-DR Replace Bridge 067B00013N KY 317 over Yonts Fork ITEM NUMBER: 12-0193.OTH</div>

AREA FACILITY OWNER CONTACT LIST

Facility Owner	Address	Contact Name	Phone	Email
KY Power Co. - Electric	1400 E Main Street, Hazard, KY 41701	Rob Pigman	Office 606-437-3167	rgpigman@aep.com
AT&T - Telephone/Internet	102 Walters Road, Pikeville, KY 41501	Jack Salyers	606-424-9328	Js2299@att.com
City of Fleming-Neon - Water	179 N Abdoo Street, Neon, KY 41840	Shane Johnson	606-634-0295	fneonwaterco@gmail.com

PART II

SPECIFICATIONS AND STANDARD DRAWINGS

STANDARD SPECIFICATIONS

Any reference in the plans or proposal to previous editions of the *Standard Specifications for Road and Bridge Construction* and *Standard Drawings* are superseded by *Standard Specifications for Road and Bridge Construction, Edition of 2019* and *Standard Drawings, Edition of 2020*.

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>

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.

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 administering agency may direct as a means of enforcing such provisions, including sanctions for non-compliance.

Revised: January 25, 2017

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.

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 thirty-six (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, 1025 Capital Center Drive, Suite 104, Frankfort, Kentucky 40601; telephone (502) 564-7954.

Revised: May 23, 2022

Kentucky Equal Employment Opportunity Act of 1978

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

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

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

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

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

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

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

PART V

BID ITEMS

247002

PROPOSAL BID ITEMS

Report Date 12/21/23

Page 1 of 2

Section: 0001 - PAVING

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00001		DGA BASE	133.00	TON		\$	
0020	00100		ASPHALT SEAL AGGREGATE	1.70	TON		\$	
0030	00103		ASPHALT SEAL COAT	.20	TON		\$	
0040	00221		CL2 ASPH BASE 0.75D PG64-22	57.00	TON		\$	
0050	00296		ASPHALT PRIME COAT	.08	TON		\$	
0060	00301		CL2 ASPH SURF 0.38D PG64-22	16.00	TON		\$	
0070	00356		ASPHALT MATERIAL FOR TACK	.17	TON		\$	

Section: 0002 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0080	01987		DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	8.00	EACH		\$	
0090	02159		TEMP DITCH	35.00	LF		\$	
0100	02160		CLEAN TEMP DITCH	18.00	LF		\$	
0110	02242		WATER	13.00	MGAL		\$	
0120	02267		REMOVE & RESET FENCE	77.00	LF		\$	
0130	02351		GUARDRAIL-STEEL W BEAM-S FACE	125.00	LF		\$	
0140	02360		GUARDRAIL TERMINAL SECTION NO 1	4.00	EACH		\$	
0150	02482		CHANNEL LINING CLASS IA	184.00	TON		\$	
0160	02545		CLEARING AND GRUBBING (0.5 ACRE)	1.00	LS		\$	
0170	02555		CONCRETE-CLASS B	6.00	CUYD		\$	
0180	02565		OBJECT MARKER TYPE 2	4.00	EACH		\$	
0190	02585		EDGE KEY	66.00	LF		\$	
0200	02602		FABRIC-GEOTEXTILE CLASS 1	323.00	SQYD		\$	
0210	02650		MAINTAIN & CONTROL TRAFFIC (067B00013N)	1.00	LS		\$	
0220	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		\$	
0230	02701		TEMP SILT FENCE	35.00	LF		\$	
0240	02703		SILT TRAP TYPE A	1.00	EACH		\$	
0250	02704		SILT TRAP TYPE B	1.00	EACH		\$	
0260	02706		CLEAN SILT TRAP TYPE A	1.00	EACH		\$	
0270	02707		CLEAN SILT TRAP TYPE B	1.00	EACH		\$	
0280	02726		STAKING (067B00013N)	1.00	LS		\$	
0290	02731		REMOVE STRUCTURE (067B00013N)	1.00	LS		\$	
0300	05950		EROSION CONTROL BLANKET	40.00	SQYD		\$	
0310	05952		TEMP MULCH	533.00	SQYD		\$	
0320	05953		TEMP SEEDING AND PROTECTION	398.00	SQYD		\$	
0330	05963		INITIAL FERTILIZER	.01	TON		\$	
0340	05964		MAINTENANCE FERTILIZER	.02	TON		\$	
0350	05985		SEEDING AND PROTECTION	3,012.00	SQYD		\$	
0360	05992		AGRICULTURAL LIMESTONE	.21	TON		\$	
0370	06514		PAVE STRIPING-PERM PAINT-4 IN	280.00	LF		\$	

Report Date 12/21/23

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0380	08003		FOUNDATION PREPARATION (B00013N)	1.00	LS		\$	
0390	20694EN		ALUMINUM STRUCTURAL PLATE BOX CULVERT	40.50	LF		\$	
0400	23864EC		CHANNEL LINING CLASS III-MOD	105.00	TON		\$	
0410	24631EC		BARCODE SIGN INVENTORY	4.00	EACH		\$	

Section: 0003 - DEMOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0420	02569		DEMOBILIZATION	1.00	LS		\$	