



**CALL NO. 317**

**CONTRACT ID. 242066**

**BOYLE COUNTY**

**FED/STATE PROJECT NUMBER FD05 011 0034 017-019**

**DESCRIPTION LEXINGTON ROAD (KY 34)**

**WORK TYPE ASPHALT RESURFACING**

**PRIMARY COMPLETION DATE 9/30/2024**

**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 - 07**

**CONTRACT ID - 242066**  
**FD05 011 0034 017-019**  
**COUNTY - BOYLE**  
**PCN - MP01100342402**  
**FD05 011 0034 017-019**

LEXINGTON ROAD (KY 34) (MP 17.510) FROM 75 FEET EAST OF STONEY POINT ROAD EXTENDING EAST TO THE WEST END OF HERRINGTON LAKE BRIDGE (MP 18.980), A DISTANCE OF 01.47 MILES. PAVEMENT (WITH ALTERNATES)  
GEOGRAPHIC COORDINATES LATITUDE 37:40:28.00 LONGITUDE 84:41:38.00  
ADT 12,188

**COMPLETION DATE(S):**  
COMPLETED BY 09/30/2024      APPLIES TO ENTIRE CONTRACT

## **CONTRACT NOTES**

### **PROPOSAL ADDENDA**

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

### **BID SUBMITTAL**

Bidder must use the Department's electronic bidding software. The Bidder must download the bid file located on the Bid Express website ([www.bidx.com](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 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](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.

### **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

### **SURFACING AREAS**

The Department estimates the mainline surfacing width to be varied 24 to 38 feet.

The Department estimates the total mainline area to be surfaced to be 27,006 square yards.

The Department estimates the shoulder width to be 4 feet on each side.

The Department estimates the total shoulder area to be surfaced to be 6,900 square yards.

### **ASPHALT MIXTURE**

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

### **INCIDENTAL SURFACING**

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

### **FUEL AND ASPHALT PAY ADJUSTMENT**

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

### **OPTION B**

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

## **SPECIAL NOTE FOR THERMOPLASTIC PAVEMENT MARKINGS REMOVAL**

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If needed remove existing Thermoplastic Pavement Markings just prior to placement of the overlay as directed by the Engineer. The Department will not measure removal of the Thermoplastic Pavement Markings, but shall be incidental to the other items of work. Lane Striping thermo removal will be paid for as indicated by the Bid Item 06531 PAVE STRIPING REMOVAL-6 IN

## **SPECIAL NOTE FOR POLISH-RESISTANT AGGREGATE IN NO 4 THINLAY ASPHALT MIXTURES**

**Contrary to Section 409.03.03** of the *Standards and Specifications*, for 4.75mm asphalt mixtures requiring Class D aggregate, recycled asphalt pavement (RAP) shall not exceed 15% of cold feed percentage, and the use of recycled asphalt shingles (RAS) is prohibited.

**Contrary to Section 402** of the *Standards and Specifications*, Warm Mix Asphalt (WMA) will not be permitted for all 4.75mm asphalt mixtures.

**Contrary to Section 403.03.01** the NO 4 surface mixtures, do not place the mixture between September 30 and May 1 unless requested in writing and approved by the engineer.

## **CAPE SEAL SPECIAL NOTE**

A cape seal treatment shall consist of one or more layers of chip/scrub seal application(s) followed by a surface treatment. Prior to placement of the surface treatment, the chip/scrub seal application shall have a curing time of no less than 72 hours and placement shall start before 10 days after the chip/scrub seal application.

A tack coat shall be applied on top of chip/scrub seal aggregate before placing the asphalt surface. Contrary to section **406.03.03 B** of the Kentucky Standard Specifications for Road and Bridge Construction, tack coat application rate for 4.75mm thinlay asphalt surface shall for be 0.40lbs – 0.65lbs (0.05 gal – 0.08 gal) per sqyd. The tack coat application rate for emulsified microsurface asphalt surface shall be 0.25lbs – 0.50lbs (0.03 gal – 0.06 gal) per sqyd.

## **Special Note for Thermo Striping Application**

Contrary to Section 714.02.05 of the Standard Specifications for Road and Bridge Construction, thermoplastic application will be required to be by ribbon gun at all locations that are to be applied over milled rumble strips in lieu of an extrusion application.

SPECIAL NOTE FOR ASPHALT CHIP SEAL

1. **DESCRIPTION.** Construct an asphalt chip seal consisting of one or more applications each of asphalt material and cover aggregate.
2. **MATERIAL AND EQUIPMENT.**

**Asphalt Material.** Furnish undiluted CRS-2P or CMS-1P or CMS-1PC polymer modified emulsion that conforms to **AASHTO M 316** and the requirements **Section 806.05**.

**When surface cracks have been previously crack sealed, CRS-2P may be required. Otherwise, application shall require undiluted CMS-1P or CMS-1PC polymer modified emulsion that meets requirements below:**

EMULSIFIED ASPHALT SPECIFICATION			
PROPERTY	METHOD	SPECIFICATION	
		CMS-1P	CMS-1PC
Test on Emulsion			
Viscosity @ 122 °F (SFS)	AASHTO T 59	100 – 400	100-400
Residue, w%, minimum. <sup>(1)</sup>	AASHTO T 59	67	60
pH	ASTM E 70	2.0-5.0	2.0-5.0
Sieve, w%, max.	AASHTO T 59	0.1	0.1
Oil distillate, w%, max.	AASHTO T 59	0.5	0.5
TEST ON RESIDUE			
Viscosity @ 140 °F, P, maximum.	AASHTO T 201	3000	-
Penetration @ 39.2 °F, minimum.	AASHTO T 49	40	30
Elastic Recovery on residue by distillation, %, minimum <sup>(2)</sup>	AASHTO T 301	50	50
Test on Polymer:			
Tensile strength, die C dumbbell, psi, minimum	ASTM D 412 <sup>(3)</sup>	500	800
Swelling in rejuvenating agent, % maximum; 48 hours exposure @ 104 °F	ASTM D 471 <sup>(4)</sup> Modified	40% intact film	40%
Latex Density @ 73 °F	ASTM D 6937 <sup>(5,6)</sup>	-	1.00-1.05
TEST ON REJUVENATING AGENT:			
Flash point, COC, °F	AASHTO T 48	380 Min	
Viscosity, 140 °F, CST	AASHTO T 201	50-175	
Saturate, % by wt.	ASTM D 2007	30 Max	
Asphaltenes	ASTM D 2007	1.0 Max.	
Test on Residue from RTFO	AASHTO T 240		
Weight Change, %		6.5 Max.	
Viscosity Ratio		3 Max	

- (1) Exception to AASHTO T59: Bring the temperature on the lower thermometer slowly to  $350 \pm 10$  °F. Maintain at this temperature for 20 minutes. Complete total distillation in  $60 \pm 5$  min from first application of heat.
- (2) Elastic Recovery @ 10 °C (50 °F): Hour glass sides, pull 20 cm, hold 5 minutes then cut, let sit 1 hour.
- (3) Tensile Strength Determination: Samples for testing for tensile strength in accordance with ASTM D412 shall be tested with the following test procedure modifications:
- (4) Prepare the polymer film, dilute the waterborne polymer to 40% Total Solids Content and pour 57 g into a Teflon or silicone release mold of dimensions 7" X 7" X 1/4". Allow to dry at 23°C (73 °F) and 50% RH (controlled conditions) for 7 – 10 days total time, during which time the film should be flipped around once, preferably after 3 or 4 days. The film should be transparent in the end. To drive out any residual water, place the film in an oven at 50 °C for 30 min. Dried film thickness should be  $25 \pm 5$  mils. Discard films <20 mil. Cut out dumbbell-shaped test specimens of dimension 75 mm total length, 25 mm mid-section (L) and 4 mm width of mid-section. Grip in Instron machine with gap size 1 inch, use 8 in/min cross-head speed.
- (5) Polymer testing shall be prepared from polymer as follows: Resistance to Swelling: Using a syringe, place 0.8 g of latex into an 18 mm diameter DSR mold. Allow the sample to dry at ambient lab conditions (air conditioned) on the bench for 72 hours. Sample should be easily removable from the mold. Take the "button" out of the mold and place the sample into a forced air oven at 40 °C (104 °F) for 48 h (on release paper). If at the end of the ambient dry, the sample sticks to the mold, place it into the oven and check it after 1-2 h. After 48 h, cool and weigh the sample to the nearest 0.0001 g and record the weight. Put 1/2 in of Rejuvenating Agent into a 3 oz penetration tin. Place the "button" on the rejuvenating agent, and add another 1/2 in of rejuvenating agent, so that the "button" is covered. Put the cap on the penetration tin and place it into the 40 °C oven for 48 h. Remove the "button" from the Rejuvenating Agent, blot surface of the "button" to remove excess Rejuvenating Agent, cool the "button" to room temperature and weigh it. Calculate weight gain of the "button", express as a percent.
- (6) Replace "Emulsified Asphalt" with "Latex" in text of test method. The testing temperature used should be  $25 \pm 3$  °C. The calculation in Section 7 should be as follows:

$$D = (W_f - W_t) * 0.1$$

$$S.G. = D / 8.337$$

Where:  $W_f$  = Weight of filled cup (g)

$W_t$  = Weight of empty cup (g)

The Department will require a sample of the polymerized emulsion to be taken from the distributor spray bar at a lot frequency of one sample per 5,000 gallons of emulsion. Take two 1 gallon samples of the heated material and forward the sample to the Division of Materials for testing. Ensure the product temperature is between 160° and 180° F at the time of sampling.

**Aggregate.** Provide a cleaned damp aggregate cover material from an approved aggregate producer and shall meet the material requirements that conform to **Section 805**, as applicable. Contrary to section 805.05.04 provide coarse aggregates having no more than 2.0 percent passing the No. 200 sieve.

**Equipment.** Provide, and keep on the project at all times, an accurate thermometer, hand brooms, and other small tools and equipment essential for completion of the work.

**Calibration** of equipment application rates shall be completed by the contractor. Calibration shall be done in the presence and verified by engineer prior to application or as directed by the engineer. A test strip shall be required at the beginning of each new project or as directed by the engineer.

**The asphalt distributor** for the application of the emulsion shall have full circulation spray bar that is adjustable to at least 16 feet wide in 2 feet increments and capable of heating and circulating the emulsion simultaneously, conforming to **Section 406.02.05**. It must have computerized rate control for adjusting and controlling the application from the cab within 0.01 gallons per square yard increments. The distributor shall also be equipped with a volume measuring device and a thermometer for measuring the emulsion temperature in the tank. For each emulsion application, follow manufactures recommendations for proper nozzle type and adjustment.

**The aggregate spreader** shall be a front discharge, continuous mechanical feed, self-propelled aggregate spreader with a screen capable of removing oversized materials. It must have computerized control for adjusting and regulating application rates, as well as width, from the operating platform. Ensure the spreader can evenly distribute the aggregate from the transporting vehicle directly onto the fresh asphalt material in smooth, uniform layers, independent of the forward speed. The spreader must be capable of being filled and moved without discharging aggregate. The spreader must be equipped with a locking mechanism compatible with the triaxle trucks used to supply aggregate.

**Rollers.** Pneumatic tire roller shall weigh at least 5 tons. Double steel wheel type roller shall weigh at least 5 tons but no more than 8 tons.

### 3. CONSTRUCTION.

**Weather and Seasonal Limitations.** Application of chip seal shall be applied when air temperature is at least 50 degrees F and rising and a minimum surface temperature of 70 degrees F. Do not construct when the ambient temperature within the preceding 24 hours has been 35 degrees F or lower. Do not proceed with construction if rain is expected in a minimum period of 4 hours. If an unexpected shower arises during operations, the asphalt distributor should be shut off immediately and placement of aggregate continued until all asphalt has been covered. Material shall not be placed between September 30 and May 1 without approval of Engineer.

**Preparation of Mixture.** Submit a complete mix design a minimum of 14 days prior to construction. Mix design shall be prepared by an approved laboratory, to verify the compatibility of the



aggregate, asphalt emulsion and other additives. Perform the mix design with the same materials that will be used on the project.

**Surface Preparation.** Prior to operation, the contractor shall remove all existing thermoplastic striping, thermoplastic legends, and raised markers within application limits. All surfaces intended for application shall be thoroughly cleaned of all vegetation, loose material, dirt, or other objectionable material immediately before application of emulsion using a mechanical sweeper and wire hand brooms, when necessary. Clean the edges of the surface providing a full and uniformly clean width of roadway. Where mud or earth exists, remove it in advance and allow surface to thoroughly dry before applying emulsion. Mowing or removal of shoulder vegetation and or brush may be necessary for proper application.

If cracks cannot be adequately filled by emulsion, fill with proper asphalt material or hot pour joint sealer conforming to **Section 807.03.01**. If applicable, apply cover aggregate before applying chip seal application.

#### 4. APPLICATION.

##### Application Rates of Materials for Single Layer Chip Seal.

Properties	Minimum	Maximum
Application rate of emulsion, gal/sqyd	0.30	0.38
Emulsion temperature, F	120	180
Application rate of aggregate, lb/sqyd	15	20

##### Application Rates of Materials for Double Layer Chip Seal.

Properties	Total Rate Minimum	Total Rate Maximum	Minimum For Any Layer	Maximum For Any Layer
Application rate of emulsion, gal/sqyd	0.60	0.76	0.30	0.38
Emulsion temperature, F	120	180	120	180
Application rate of aggregate, lb/sqyd	30	40	15	20

Double chip seal treatment shall consist of two single layers. The first layer of material shall be applied at 40-50% of the total combined material rate. The second layer shall be applied at 50-60% of the total combined material rate. When a double layer of chip application is required the second layer of chip seal shall not be applied until three days after placement of the first layer. Sweep the first layer before starting the construction of the second layer of chip seal.

**Application of Emulsion.** Heat and maintain emulsion between 120 and 180 degrees F during application. Polymer modified emulsion shall be applied when air temperature is at least 50 degrees F and rising and a minimum surface temperature of 70 degrees F. Emulsion shall be applied using a pressure distributor in a uniform, continuous quantity at specified rates.

Keep the nozzles of the spray bar clean at all times. Immediately make any streaked areas uniform by use of a hand hose equipped with a nozzle.

Do not allow distributor to apply asphalt material ahead of aggregate spreader for more than 150 feet.

When the chip seal treatment is constructed in half-widths, provide complete coverage by overlapping the 2 applications approximately 4 inches along centerline and sweep the centerline before constructing the adjoining lane.

When a double layer of chip application is required the second layer of chip seal shall not be applied until three days after placement of the first layer. Sweep the first layer before starting the construction of the second layer of chip seal.

Prevent spotting or discoloring curbs, headwalls, and other structures. When such discolorations occur, remove them at no expense to KYTC.

Provide and use building paper or other materials approved by the engineer to provide a clean and proper at every construction joint. A straight edge shall be used to ensure a consistent and even joint.

**Aggregate.** Aggregate cover material shall be cleaned to remove dirt and dust, ensuring appropriate adhesion with emulsion. Aggregate shall be damp during application. Aggregate shall only be stockpiled once per project and must be placed on a pad clean from unwanted materials and debris. The Department will sample and test the aggregate from the stockpile to determine if the aggregate meets the washed gradation and the percent passing the No. 200 sieve requirements before any placement of the aggregate. Reject the stockpile when the aggregate doesn't meet the requirements. Prior to breaking of the emulsion, aggregate shall be continuously and evenly spread with the proper equipment at the specified rates. Spreading equipment shall not contact the asphalt material before it is covered with aggregate. Precautions should be taken not to exceed the designated rate by more than 5 percent. Use hand brooms to correct any irregularities.

**Rolling.** Two self-propelled pneumatic tire rollers and one double steel wheel roller shall be used for the required rolling of the aggregate. This shall be done no more than 5 minutes after the spreading of aggregate. Operate the rollers parallel to the centerline in a manner preventing the dislodgment of newly applied aggregate. Rolling should proceed from the outer edge to the center, with each pass overlapping the previous by one-half. Rolling shall consist of at least 2 passes or more with pneumatic tire roller, followed by at least 1 pass with the double steel wheel roller when the engineer directs. Roller speeds shall not exceed 5 mph. Additional roller patterns and/or equipment may be required as directed by the engineer depending on speed of application.

**Sweeping.** Power sweep and/or vacuum the completed application to remove all excess aggregate after each day(s) of production. The curing time shall be determined by the engineer. Surface shall be swept or vacuumed prior to any striping or other surface applications. If directed by the engineer, water may be applied during sweeping process. A second sweeping may be required following the initial application day. If applying an additional surface treatment over the chip seal, it may be opened to traffic for an amount of time specified in the contract or as directed by the engineer. At the end of each day(s) production, the treated portion of the roadway shall be swept.

**Little to no aggregate shall be remaining on the following:**

- Entrances
- Exit aprons
- Intersections
- Crossroads
- Driveways
- Lawns
- Curbs
- Shoulders

**5. MEASUREMENT.**

**Asphalt Material.** KYTC will measure the quantity in tons according to **Section 109.**

**Aggregate.** KYTC will measure the quantity in sqyd according to **Section 109.**

**6. PAYMENT.**

Contrary to **Section 805.15**, the department will apply a 50 percent reduction on the bid price for asphalt seal aggregate when exceeding 2 percent on the No. 200 sieve. The washed gradation acceptance will follow section 805.15 guidelines for the aggregate size used for the asphalt seal aggregate. KYTC will make payment for the completed and accepted quantities under the following:

<u>Pay Item</u>	<u>Pay Unit</u>
Polymer Modified Emulsified Asphalt	Ton
Asphalt Seal Aggregate	Sqyd

KYTC will consider payment as full compensation for all work required under this section

## SPECIAL NOTE FOR NON-TRACKING TACK COAT

1. DESCRIPTION AND USEAGE. This specification covers the requirements and practices for applying a non-tracking tack asphalt coating. Place this material on the existing pavement course, prior to placement of a new asphalt pavement layer. Use when expedited paving is necessary or when asphalt tracking would negatively impact the surrounding area. This material is not suitable for other uses. Ensure material can “break” within 15 minutes under conditions listed in 3.2.
2. MATERIALS, EQUIPMENT, AND PERSONNEL.

2.1 Non-Tracking Tack. Provide material conforming to Subsection 2.1.1.

2.1.1 Provide a tack conforming to the following material requirements:

Property	Specification	Test Procedure
Viscosity, SFS, 77 ° F	20 – 100	AASHTO T 72
Sieve, %	0.3 max.	AASHTO T 59
Asphalt Residue <sup>1</sup> , %	50 min.	AASHTO T 59
Oil Distillate, %	1.0 max.	AASHTO T 59
Residue Penetration, 77 ° F	0 - 30	AASHTO T 49
Original Dynamic Shear (G*/sin δ), 82 ° C	1.0 min.	AASHTO T 315
Softening Point, ° F	149 min.	AASHTO T 53
Solubility, %	97.5 min.	AASHTO T 44

<sup>1</sup> Bring sample to 212 °F over a 10-15 minute period. Maintain 212 °F for 15-20 minutes or until 30-40 mL of water has distilled. Continue distillation as specified in T59.

- 2.2. Equipment. Provide a distributor truck capable of heating, circulating, and spraying the tack between 170 °F and 180 °F. Do not exceed 180 °F. Circulate the material while heating. Provide the correct nozzles that is recommend by the producer to ensure proper coverage of tack is obtained. Ensure the bar can be raised to between 14” and 18” from the roadway.
  - 2.3. Personnel. Ensure the tack supplier has provided training to the contractor on the installation procedures for this product. Make a technical representative from the supplier available at the request of the Engineer.
3. CONSTRUCTION.
    - 3.1 Surface Preparation. Prior to the application of the non-tracking tack, ensure the pavement surface is thoroughly dry and free from dust or any other debris that would inhibit adhesion. Clean the surface by scraping, sweeping, and the use of compressed air. Ensure this preparation process occurs shortly before application to prevent the return of debris on to the pavement. If rain is expected within one hour after application, do not apply material. Apply material only when the surface is dry, and no precipitation is expected.

3.2 Non-tracking Tack Application. Placement of non-tracking tack is not permitted from October 1<sup>st</sup> to May 15<sup>th</sup>. When applying material, ensure the roadway temperature is a minimum of 40°F and rising. Prior to application, demonstrate competence in applying the tack according to this note to the satisfaction of the Engineer. Heat the tack in the distributor to between 170 – 180 °F. After the initial heating, between 170 – 180 °F, the material may be sprayed between 165 °F and 180 °F. Do not apply outside this temperature range. Apply material at a minimum rate of 0.70 pounds (0.08 gallons) per square yard. Ensure full coverage of the material on the pavement surface. Full coverage of this material is critical. Increase material application rate if needed to achieve full coverage. Schedule the work so that, at the end of the day's production, all non-tracking tack is covered with the asphalt mixture. If for some reason the non-tracking tack cannot be covered by an asphalt mixture, ensure the non-tracking tack material is clean and reapply the non-tracking tack prior to placing the asphalt mixture. Do not heat material more than twice in one day.

3.3 Non-tracking Tack Certification. Furnish the tack certification to the Engineer stating the material conforms to all requirements herein prior to use.

3.4 Sampling and Testing. The Department will require a sample of non-tracking tack be taken from the distributor at a rate of one sample per 15,000 tons of mix. Take two 1 gallon samples of the heated material and forward the sample to the Division of Materials for testing within 7 days. Ensure the product temperature is between 170 and 180 °F at the time of sampling.

4. MEASUREMENT. The Department will measure the quantity of non-tracking tack in tons. The Department will not measure for payment any extra materials, labor, methods, equipment, or construction techniques used to satisfy the requirements of this note. The Department will not measure for payment any trial applications of non-tracking tack, the cleaning of the pavement surface, or furnishing and placing the non-tracking tack. The Department will consider all such items incidental to the non-tracking tack.
5. PAYMENT. The Department will pay for the non-tracking tack at the Contract unit bid price and apply an adjustment for each manufacturer's lot of material based on the degree of compliance as defined in the following schedule. Non-tracking tack will not be permitted for use from October 1<sup>st</sup> to May 15<sup>th</sup>. During this timeframe, the department will allow the use of an approved asphalt emulsion in lieu of a non-tracking tack product but will not adjust the unit bid price of the material. When a sample fails on two or more tests, the Department may add the deductions, but the total deduction will not exceed 100 percent.

Non-Tracking Tack Price Adjustment Schedule						
Test	Specification	100% Pay	90% Pay	80% Pay	50% Pay	0% Pay
Viscosity, SFS, 77 ° F	20 – 100	19 - 102	17 - 18	15 - 16	14	≤13
			103 - 105	106 - 107	108 - 109	≥ 110
Sieve, %	0.30 max.	≤ 0.40	0.41 - 0.50	0.51 - 0.60	0.61 - 0.70	≥ 0.71
Asphalt Residue, %	50 min.	≥49.0	48.5 – 48.9	48.0 – 48.4	47.5-47.9	≤ 47.4
Oil Distillate, %	1.0 max.	≤1.0	1.1-1.5	1.6 - 1.7	1.8-1.9	>2.0
Residue Penetration, 77 ° F.	30 max.	≤ 31	32 - 33	34 - 35	36 - 37	≥ 38
Original Dynamic Shear (G*/sin δ), 82 ° C	1.0 min.	≥0.95	0.92 – 0.94	0.90 – 0.91	0.85 - 0.89	≤ 0.84
Softening Point, ° F	149 min.	≥145	142 - 144	140 - 141	138 - 139	≤ 137
Solubility, %	97.5 min.	≥ 97.0	96.8 – 96.9	96.6 – 96.7	96.4 – 96.5	≤ 96.3

Code  
24970EC

Pay Item  
Asphalt Material for Tack Non-Tracking

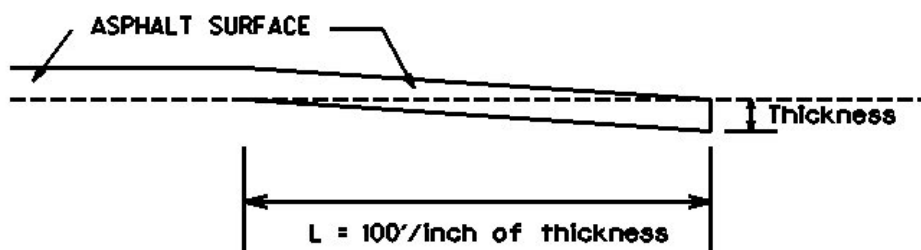
Pay Unit  
Ton

Revised: May 23, 2022

## SPECIAL NOTE FOR EDGE KEY

Construct Edge Keys at the beginning of project, end of project, at railroad crossings, and at ramps, as applicable. Unless specified in the Contract or directed by the Engineer, do not construct edge keys at intersecting streets, roads, alleys, or entrances. Cut out the existing asphalt surface to the required depth and width shown on the drawing and heel the new surface into the existing surface. The Department will make payment for this work at the Contract unit price per ton for Asphalt Pavement Milling and Texturing, which shall be full compensation for all labor, materials, equipment, and incidentals for removal and disposal of the existing asphalt surface required to construct the edge key.

### EDGE KEY



**L = Length of Edge Key**

1-3309 Edge key by Ton  
01/02//2012

### **SPECIAL NOTE FOR ASPHALT MILLING AND TEXTURING**

Begin paving operations within **48 hours** of commencement of the milling operation. Continue paving operations continuously until completed. If paving operations are not begun within this time period, the Department will assess liquidated damages at the rate prescribed by Section 108.09 until such time as paving operations are begun.

Contrary to Section 408, the Department will retain possession of the material obtained from the milling operations. Deliver this material to the State Maintenance facility in Boyle County.

**NOTICE TO CONTRACTOR: The Department considers transfer of millings to the state maintenance facility to be a part of the construction project.**

1-3530 48 hours State keeps millings  
01/2/2012



### **SPECIAL NOTE FOR TYPICAL SECTION DIMENSIONS**

Consider the dimensions shown on the typical sections for pavement and shoulder widths and thickness' to be nominal or typical dimensions. The Engineer may direct or approve varying the actual dimensions to be constructed to fit existing conditions. Do not widen existing pavement or shoulders unless specified elsewhere in this proposal or directed by the engineer.

1-3725 Typical Section Dimensions  
01/02/2012

## **TRAFFIC CONTROL PLAN**

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### **TRAFFIC CONTROL GENERAL**

Except as provided 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, all items of work necessary to maintain and control traffic will be paid at the lump sum bid price to "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 in like new condition until completion of the work.

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

The Engineer may specify days and hours when lane closures will not be allowed.

Maintain alternating one way traffic during construction. Provide a minimum clear lane width of 11 feet; however, provide for passage of vehicles of up to 16 feet in width. If traffic should be stopped due to construction operations, and a school bus on an official run arrives on the scene, make provisions for the passage of the bus as quickly as possible.

### **LANE CLOSURES**

Do not leave lane closures in place during non-working hours.

### **SIGNS**

At locations where scrub seal has been applied and not covered by the final surface course, place "LOOSE GRAVEL" warning signs and "SPEED LIMIT 25 MPH" as directed by the engineer. Sign posts and splices shall be compliant with NCHRP 350 or MASH. Manufacturer's documentation validating this compliance shall be provided to the Engineer prior to installation. Signs, including any splices, shall be installed according to manufacturer's specifications and installation recommendations. Contrary to section 112.04.02, only long-term signs (signs intended to be continuously in place for more than 3 days) will be measured for payment. Short-term signs (signs intended to be left in place for 3 days or less) will not be measured for payment but will be incidental to Maintain and Control Traffic.

### **CHANGEABLE MESSAGE SIGNS**

If deemed necessary by the Engineer, the Department will furnish, operate, and maintain

Traffic Control Plan  
Page 2 of 4

Changeable Message Signs.

## **TEMPORARY ENTRANCES**

The Engineer will not require the Contractor to provide continuous access to farms, single family, duplex, or triplex residential properties during working hours; however, provide reasonable egress and ingress to each such property when actual operations are not in progress at that location. Limit the time during which a farm or residential entrance is blocked to the minimum length of time required for actual operations, not extended for the Contractor's convenience, and in no case exceeding six (6) hours. Notify all residents twenty-four hours in advance of any driveway or entrance closings and make any accommodations necessary to meet the access needs of disabled residents.

Except as allowed by the Phasing as specified above, maintain direct access to all side streets and roads, schools, churches, commercial properties and apartments or apartment complexes of four or more units at all times.

The Department will measure asphalt materials required to construct and maintain any temporary entrances which may be necessary to provide temporary access; however, the Department will not measure aggregates, excavation, and/or embankment, but shall be incidental to Maintain and Control Traffic. The Engineer will determine the type of surfacing material, asphalt or aggregate, to be used at each entrance.

## **THERMOPLASTIC INTERSECTION MARKINGS**

Consider the locations listed on the summary as approximate only. Prior to milling and/or resurfacing, locate and document the locations of the existing markings. After resurfacing, replace the markings at their approximate existing locations or as directed by Engineer. Place markings not existing prior to resurfacing as directed by the Engineer.

## **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 to protect pavement removal areas in individual units. Each. The Department will measure for payment the maximum number of barricades in concurrent use at the same time on a single day on all sections of the contract. The Department will measure individual barricades only once for payment, regardless of how many times they are set, reset, removed, and relocated during the duration of the project. The Department will not measure replacements for damaged barricades the Engineer directs to be replaced due to poor condition or reflectivity. Retain possession of the Barricades upon completion of construction.

Traffic Control Plan  
Page 3 of 4

## **PAVEMENT MARKINGS**

If there is to be a deviation from the existing striping plan, the Engineer will furnish the Contractor a striping plan prior to placement of the final surface course.

Install Temporary Striping according to Section 112 with the following exception:

If the Contractor's operations or phasing requires temporary markings that must subsequently be removed from the final surface course, use an approved removable lane tape; however, the Department will not measure removable lane tape for separate payment, but will measure and pay for removable lane tape as temporary striping.

## **PAVEMENT EDGE DROP-OFFS**

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

Protect 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. During daylight working hours only, the Engineer will allow the Contractor to use cones in lieu of plastic drums, panels, and barricades. Wedge the drop-off with DGA or asphalt mixture for leveling and wedging with a 1:1 or flatter slope in daylight hours, or 3:1 or flatter slope during nighttime hours, when work is not active in the drop-off area.

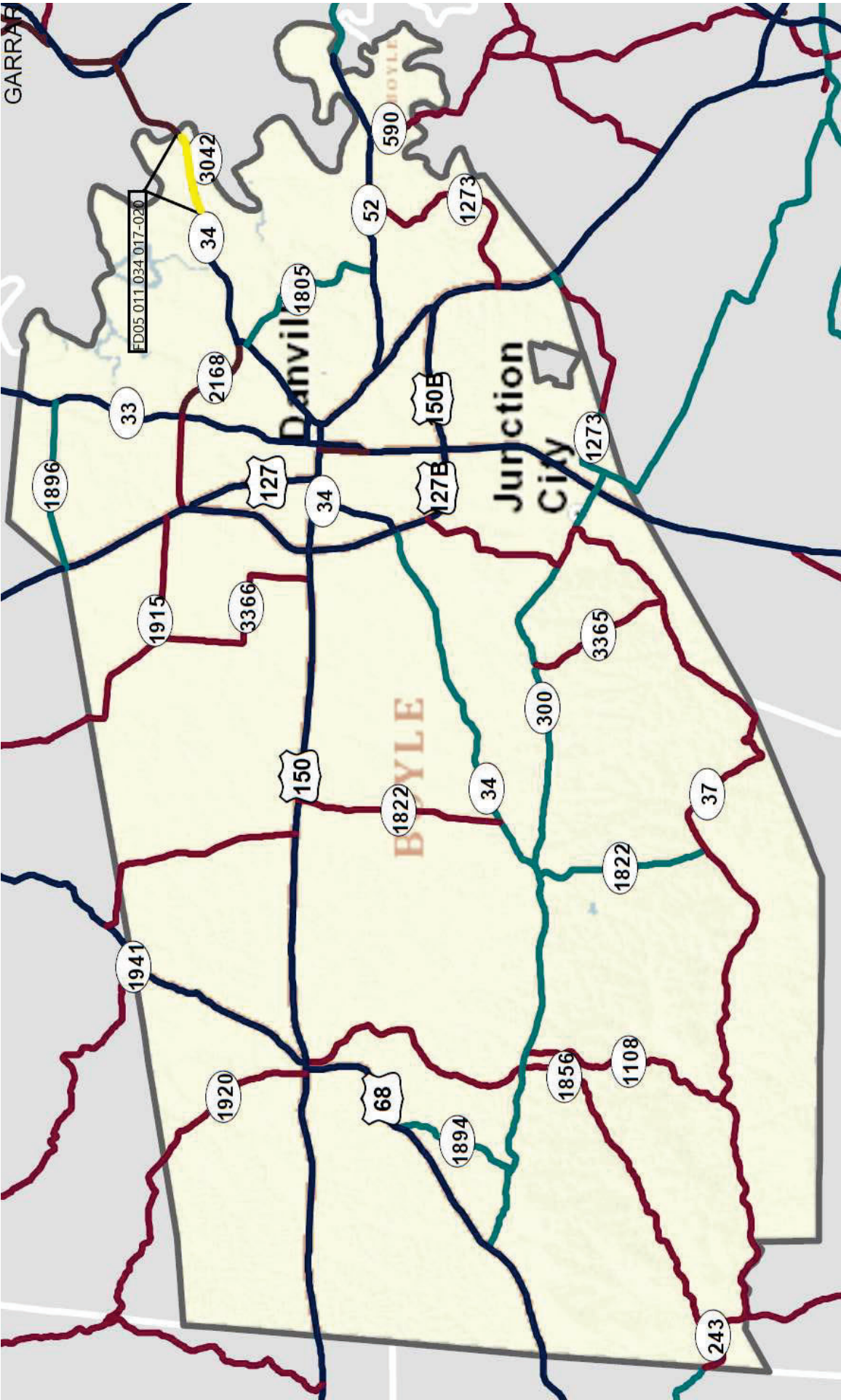
Greater than 4" - Protect drop-offs greater than 4 inches within 10 feet of traffic by placing drums, vertical panels, or barricades every 25 feet. The Engineer will not allow the use of cones in lieu of drums, vertical panels, or barricades for drop-offs greater than 4". Place Type III Barricades directly 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 directed by the Engineer

Pedestrians & Bicycles - Protect pedestrian and bicycle traffic as directed by the

Traffic Control Plan  
Page 4 of 4

engineer.



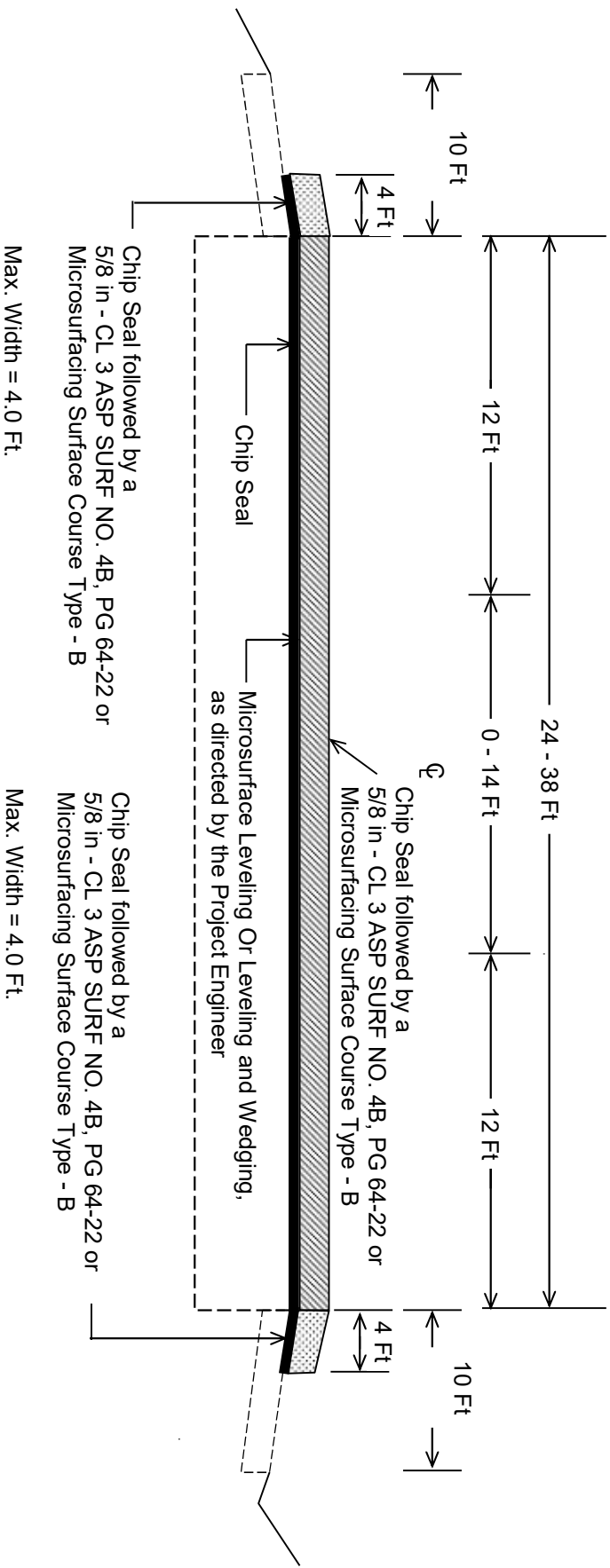


MPT.	INTERSECTION	X-WALKS 6 INCH LF	STP BARS 24 INCH LF	CURVE EA	ARROWS STR EA	COMB EA	CONE CAP SF	"STOP" EA	CROSS HATCH SF	RAILROAD "R" 6 FOOT EA	OSS BUCK LF
17.781	CHENAULT BRIDGE RD			5			77				
18.327	OLD BRIDGE RD			6			105		714		
TOTAL		0	0	11	0	0	182	0	714	0	0



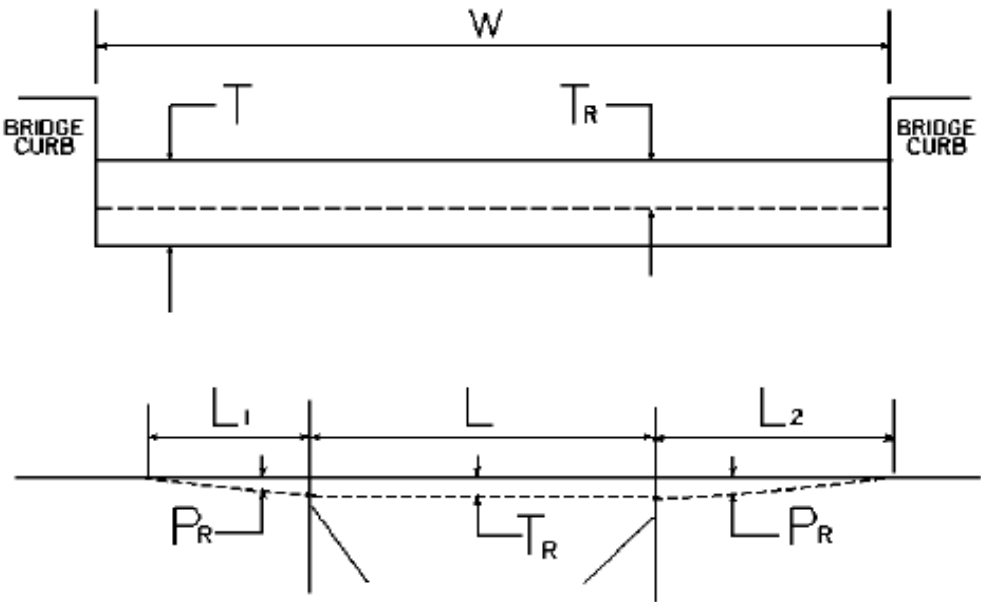
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**Boyle County**  
**FD05 011 0034 017-020**  
**TYPICAL SECTION**  
**MP's 17.510 to 18.980**



**\*Where Existing Site Conditions Permit**

BRIDGE DETAIL FOR PAVING PROJECT



W = bridge width curb to curb  
T = thickness of existing asphalt overlay  
L = length of bridge  
L<sub>1</sub> & L<sub>2</sub> = length of approach pavement to be removed  
T<sub>R</sub> = thickness to be removed and replaced on bridge  
P<sub>R</sub> = thickness to be removed and replaced on pavement  
Note: L<sub>1</sub> & L<sub>2</sub> lengths shall be determined by using a transition rate of 100 ft/in of thickness

Route	Bridge No.	MP	W (ft)	T (in)	L <sub>1</sub> (ft)	L <sub>2</sub> (ft)	T <sub>R</sub> (in)	L (ft)	P <sub>R</sub> (in)
KY 34	B00053N	18.980	44.000		100.00	0.000	0.000	638.10	1.00

**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>

2020 KENTUCKY STANDARD DRAWINGS

CURVE WIDENING AND SUPERELEVATION TRANSITIONS .....RGS-001-07

SUPERELEVATION FOR MULTILANE PAVEMENT .....RGS-002-06

MISCELLANEOUS STANDARDS .....RGX-001-06

APPROACHES, ENTRANCES, AND MAIL BOX TURNOUT .....RPM-110-07

LANE CLOSURE TWO-LANE HIGHWAY .....TTC-100-04

SHOULDER CLOSURE .....TTC-135-02

PAVEMENT CONDITION WARNING SIGNS.....TTD-125-02

MOBILE OPERATION FOR PAINT STRIPING CASE I .....TTS-100-02

MOBILE OPERATION FOR PAINT STRIPING CASE II .....TTS-105-02

CENTERLINE RUMBLE STRIPS PLACEMENT DETAILS .....TPR-100

CENTERLINE RUMBLE STRIPS 6 INCH STRIPING .....TPR-110

SHOULDER & EDGELINE RUMBLE STRIPS PLACEMENT DETAILS .....TPR-115

EDGELINE RUMBLE STRIP DETAILS TWO LANE ROADWAYS .....TPR-120

## **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](mailto: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**

Section: 0001 - MICROSRUFACE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	21652EN		MICROSURFACING-LEVELING COURSE	3,825.00	SQYD		\$	
0020	24957EC		MICROSURFACING-SURFACE COURSE - TYPE B	33,906.00	SQYD		\$	

Section: 0002 - THINLAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0030	00190		LEVELING & WEDGING PG64-22	138.00	TON		\$	
0040	02676		MOBILIZATION FOR MILL & TEXT	1.00	LS		\$	
0050	02677		ASPHALT PAVE MILLING & TEXTURING	30.00	TON		\$	
0060	23307EC		CL3 ASPH SURF NO.4B PG64-22	1,245.00	TON		\$	
0070	24970EC		ASPHALT MATERIAL FOR TACK NON-TRACKING	13.00	TON		\$	

Section: 0003 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0080	02562		TEMPORARY SIGNS	190.00	SQFT		\$	
0090	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0100	02696		SHOULDER RUMBLE STRIPS	15,550.00	LF		\$	
0110	06510		PAVE STRIPING-TEMP PAINT-4 IN	37,000.00	LF		\$	
0120	06542		PAVE STRIPING-THERMO-6 IN W	17,000.00	LF		\$	
0130	06543		PAVE STRIPING-THERMO-6 IN Y	20,000.00	LF		\$	
0140	06569		PAVE MARKING-THERMO CROSS-HATCH	714.00	SQFT		\$	
0150	06574		PAVE MARKING-THERMO CURV ARROW	11.00	EACH		\$	
0160	20458ES403		CENTERLINE RUMBLE STRIPS	7,800.00	LF		\$	
0170	21417ES717		PAVE MARK THERMO CONE CAP-SOLID YELLOW	182.00	SQFT		\$	
0180	24858EC		POLYMER ASPHALT EMULSION FOR SCRUB SEAL	53.00	TON		\$	
0190	24961EC		ASPHALT SEAL AGGREGATE - TYPE D	33,906.00	SQYD		\$	

Section: 0004 - DEMOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0200	02569		DEMOBILIZATION	1.00	LS		\$	