



CALL NO. 321

CONTRACT ID. 242995

MONROE COUNTY

FED/STATE PROJECT NUMBER FE02 086 0678 B000048N

DESCRIPTION STRINGTOWN FLIPPIN ROAD (KY 678)

WORK TYPE BRIDGE WITH GRADE, DRAIN & SURFACE

PRIMARY COMPLETION DATE 8/1/2025

LETTING DATE: September 26,2024

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 AM EASTERN DAYLIGHT TIME September 26,2024. Bids will be publicly announced at 10:00 AM EASTERN DAYLIGHT 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 - 03

CONTRACT ID - 242995

FE02 086 0678 B000048N

COUNTY - MONROE

PCN - MB08606782401

FE02 086 0678 B000048N

STRINGTOWN FLIPPIN ROAD (KY 678) BRIDGE 086B00048N OVER PETER CREEKBRIDGE WITH GRADE, DRAIN
& SURFACE SYP NO. 03-40002.00.
GEOGRAPHIC COORDINATES LATITUDE 36:45:12.00 LONGITUDE 85:51:05.00
ADT

COMPLETION DATE(S):

COMPLETED BY 08/01/2025	APPLIES TO ENTIRE CONTRACT
100 CALENDAR Days	APPLIES TO 086B00048N

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 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/construction-procurement). 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 state agency certifies that it is in compliance with the provisions of KRS 45A.150, "Access to contractor's books, documents, papers, records, or other evidence directly pertinent to the contract." The Contractor, as defined in KRS 45A.030, 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 agreement for

the purpose of financial audit or program review. 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. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the agreement and shall be exempt from disclosure as provided in KRS 61.878(1)(c).

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.

Revised: 9/1/2024

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. 4
BRIDGE DECK RESTORATION AND WATERPROOFING
MARION COUNTY
CID 242905**

FE02 078 1195 B00053N 14.86

Marion County ~ KY 1195 (Short Line Pike) over Pleasant Run Creek

Geographic Coordinates

Latitude 37° 37' 02.00" (37.6172)

Longitude -85° 09' 40.00" (-85.1611)

Description

Existing:

49'6" 3 Span Concrete Culvert. No Existing Plans

Proposed:

48'0" PPC Box Beam Span. Drawing No. 28693.

**SPECIAL NOTES FOR BRIDGE DECK
RESTORATION AND WATERPROOFING**

SPECIAL NOTE FOR CONCRETE SEALING

SPECIAL NOTE FOR ADDITIONAL ENVIRONMENTAL COMMITMENTS

SPECIAL NOTE FOR TREE REMOVAL

SPECIAL NOTE FOR CONTRACT COMPLETION DATE AND PENALTIES ON
BRIDGE REPAIR CONTRACTS

SPECIAL NOTE FOR BRIDGE PLANS

Rev 02/2024

SPECIAL NOTE FOR CONCRETE SEALING

These Notes or designated portions thereof, apply where so indicated on the plans, proposals or bidding instruction.

I. DESCRIPTION. Perform all work in accordance with the Department's Standard Specifications, current edition, and applicable Supplemental Specifications, the attached sketches, and these Notes. Section references are to the Standard Specifications. This work consists of: (1) Furnish all labor, materials, tools, and equipment; (2) Clean the bridge deck; (3) Seal the bridge deck; (4) Maintain & control traffic; and, (5) Any other work specified as part of this contract.

II. MATERIALS.

A. Sealer. Use one of the following:

Product	Supplier
Protectosil BHN	Evonik Industries
Protectosil 300S	Evonik Industries
TK-590-40 Tri-Silane 40%	TK Products
SW-244-100	Chemical Products Industries, Inc.
TK-590-1 MS Tri-Silane	TK Products
MasterProtect H1000	BASF
Aquanil Plus 40	ChemMasters
SIL-ACT ATS-100	Advanced Chemical Technologies
Certivex Penseal BTS 100%	Vexcon
Pentreat 244-40	W.R. Meadows
Aquanil Plus 40A	ChemMasters

B. Coverage Rate: Follow all manufacturers recommendations for coverage rates except the application rate must not exceed the square footage coverage rate per

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gallon of sealer as given in the chart below. If the manufacturer recommends a coverage rate greater than given in the table below, apply sealer at the rate given in the table below for the chosen sealers silane percentage.

% Silane	Coverage rate (ft ² /gallon)
100	300
40	120
20	60

III. CONSTRUCTION.

- A. Curing Compound.** Contrary to Section 609.03.12 of the specifications, curing compound is not to be used on this deck due to potentially causing issues with the concrete sealer. During the deck pour, finishing, and tining operations the Class AA concrete shall be kept continuously moist with the use of a mister until burlap or curing blankets are applied to the surface. At no point should water be pooling or running off the surface or the surface of the concrete be allowed to become dry. After the burlap or curing blankets are installed, cure in accordance with the specifications. Include all costs in the unit price bid for Class AA concrete. Failure to properly cure the concrete in accordance with this note and the specifications may result in weakened or cracked concrete. If the concrete is weakened or cracked due to improper curing, the contractor will be responsible for providing alternates to fix the issues to the Engineer for review and the contractor will be solely responsible for all costs to do so, up to complete replacement. Do not begin any construction to fix these issues without approval of the Engineer.
- B. Contract Time.** Concrete Sealing may need to be installed after contract time has elapsed in a separate mobilization and after the Engineer has declared the project otherwise complete. Liquidated damages shall not be charged provided Concrete Sealing is complete within 60 days after the last concrete pour on the structure. When the Contractor has not completed Concrete Sealing within the time frame allotted, Liquidated Damages shall be charged at 25 percent of the original contract daily charge from the expiration of the time allowed until the Contractor completes the work except the Department will not deduct liquated damages when weather limitations prohibit the Contractor from performing the work.
- C. Cleaning the Deck.** Dry clean the deck to remove all loose debris. Remove all visible hydrocarbons from the surface with detergent approved by the manufacturer of the deck sealant. Pressure wash all surfaces to be sealed at 2000 to 3000 psi. Install pressure gauges at each wand to verify pressure. Use 30° fan tip or as recommended by the manufacturer of the deck sealant. Hold pressure washing wand a minimum of 45° from the deck with a maximum stand-off distance of 12 inches.

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- D. Sealing the Deck.** Allow new concrete to cure a minimum 28 days prior to application of sealer. Monitor weather conditions prior to sealer application. Refer to manufacturer's recommendations for proper ambient conditions. Do not apply sealer if precipitation is anticipated within the time stated by the manufacturer. Allow the deck to dry 24 hours (after washing or rain event) before sealer application. The deck can be reopened to traffic while drying. Sealer must be applied within 48 hours of washing or the deck must be rewashed. Divide the deck into predefined areas of specific square footage to aid in determining usage. Comply with manufacturer's usage recommendation. Using a low pressure pump, apply sealer and spread evenly with broom or squeegee; do not allow pooling to remain. When each predefined area is complete, measure the amount of sealer used to verify proper usage. After sealing, follow manufacturer's recommended cure time before opening to traffic. On vertical surfaces, apply the sealer in a flooding application from the bottom up, so the material runs down 6 to 8 inches below the spray pattern.
- E. Inspection:** Monitor all aspects of the project to assure compliance to this specification. Observe and document general conditions during the entirety of the project. Verify that each phase of work has been satisfactorily completed prior to beginning the next phase. Phases are described as follows:
1. Dry cleaning to remove loose debris, verify and document:
 - a. All debris has been removed and disposed of properly.
 2. Removal of hydrocarbons, verify and document:
 - a. The manufacturer's recommended detergent is used for removal.
 - b. Hydrocarbons have been satisfactorily removed.
 3. Pressure washing, verify and document:
 - a. Washing pressure at the wand.
 - b. Tip size used.
 - c. Wash angle and stand-off distance.
 - d. The deck is satisfactorily cleaned.
 4. Sealer application, verify and document:
 - a. Proper cure time for new concrete.
 - b. Deck surface is dry.
 1. Document time since washed.
 2. Was deck opened to traffic after washing?
 - c. Ambient conditions.
 1. Document ambient temperature, surface temperature, relative humidity, and dew point.
 - d. Application and distribution method.
 - e. Coverage to be complete and even.
 - f. Material is not allowed to remain pooled.
 - g. Monitor material usage.
 - h. No traffic until proper cure time is allowed.
 - i.

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IV. MEASUREMENT

- A. **Concrete Sealing.** The Department will measure the quantity per square feet of each area sealed.
- B. **Mobilization For Concrete Surf Treatment.** The Department will pay the lump sum bid for an additional mobilization when Concrete Sealing must be performed after the Engineer has deemed the project complete except for Concrete Sealing and the structure is opened to traffic.

V. PAYMENT

- A. **Concrete Sealing.** Payment at the contract unit price per square feet is full compensation for the following: (1) Furnish all labor, materials, tools, and equipment; (2) Clean the bridge deck; (3) Seal the bridge deck; (4) Maintain & control traffic; and, (5) Any other work specified as part of this contract.
- B. **Mobilization For Concrete Surf Treatment.** Payment at the contract lump sum price bid shall be full compensation for the Contractor to remobilize on the project to perform Concrete Sealing as detailed herein this special note.

SPECIAL NOTE

Seasonal Tree Clearing Restriction

**DUE TO THE RECOVEREY PLAN FOR ENDANGERED BATS, NO TREE
CLEARING IS PERMITTED FROM JUNE 1 THROUGH JULY 31.**

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

SPECIAL NOTE

For Additional Environmental Commitments

IN ADDITION TO OTHER ENVIRONMENTAL COMMITMENTS LISTED IN THIS CONTRACT, THE FOLLOWING COMMITMENTS ALSO APPLY, AS THIS IS A FEDERALLY FUNDED UNDERTAKING AS DEFINED IN SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT, [36 CFR 800.16\(Z\)](#):

- 1) The KYTC has completed a Phase 1 archaeological survey for a site-specific area surrounding the bridge. The cleared area is shown as “Archaeologically Cleared Area” or “Environmentally Cleared Area” on the concept plans and/or the map attached to this note or included elsewhere in the proposal. Likewise, any areas that must be avoided have been labeled “Do Not Disturb.”

If the Contractor deems it necessary to use additional areas outside the Archaeologically/ Environmentally Cleared Area for any purposes—e.g., laydown yards, vehicle parking, parking cranes, delivering beams, borrow areas, waste areas, etc.—the Contractor must first get a written agreement with the landowner (assuming the additional area is outside the right-of-way). Then the Contractor shall seek approval of the use of the site—whether within or outside the right-of-way—by both the KYTC Section Supervisor, the KYTC Central Office Project Manager Dora.Alexander@ky.gov and the Central Office Environmental Lead Dave.Harmon@ky.gov. The Contractor shall provide a map of the area(s) to be used, including access points, and property-owner agreements. The Environmental Team will complete initial field investigations for archaeological, historical, ecological, and other environmental clearances. If any potentially significant site or resources are found, the KYTC has the right to deny the use of the proposed site. The maps and property owner agreements are to be submitted at least ten (10) business days prior to the Preconstruction Conference, or sixty (60) days prior to the Contractors access to the site, for coordination and review by the KYTC District and Central Office Team.

A Penalty of \$50,000 will be assessed whenever the Contractor has used any restricted areas. The fee will be assessed on a *per bridge* basis, whether the contract involves bridge bundles or a single bridge. In addition, all fines, fees, penalties, remediation costs, and other damages related to breaches of Threatened and Endangered Species Act Section 7, National Historic Preservation Act Section 106, Clean Water Act Sections 401 and 404, Kentucky General Permit for Stormwater Discharges KYR10, Environmental Protection Agency requirements, State Historic Preservation Office requirements, and other related permitting agencies will be paid by the Contractor, including all associated costs and burdens placed upon the Kentucky Transportation Cabinet.

- 2) If human remains are encountered during project activities, all work should be immediately stopped in the area. The area should be cordoned off, and, in accordance with KRS

72.020, the county coroner and local law enforcement must be contacted immediately. Upon confirmation that the human remains are not of forensic interest, the unanticipated discovery must be reported to Nichole Konkol at the Kentucky Heritage Council at (502) 892-3614, George Crothers at the Office of State Archaeology at (859) 257-1944, and KYTC DEA archaeologists at (502) 564-7250.

For guidance regarding inadvertent discovery and treatment of human remains, refer to the KYTC's [Right of Way Guidance Manual](#) (Section ROW-1202), and the Advisory Council on Historic Preservation's (ACHP) [Policy Statement Regarding Treatment of Human Remains and Grave Goods](#) (adopted by ACHP February 23, 2007).

- 3) If, during the implementation of The Project, a previously unidentified historic/ archaeological property is discovered or a previously identified historic/archaeological property is affected in an unanticipated manner, the contractor shall (1) call KYTC DEA archaeologists at (502) 564-7250, (2) call SHPO archaeologists at (502) 892-3614, and (3) ensure that all work within a reasonable area of the discovery shall cease until such time as a treatment plan can be developed and implemented.

**SPECIAL NOTE FOR CONTRACT COMPLETION DATE AND
PENALTIES ON BRIDGE REPAIR CONTRACTS**

- 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>
078B00053N	60	August 1, 2025

No lane closure will be permitted before **June 1, 2025**.

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.
Drawing Number 28693 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.



Asbestos Inspection Report

To: David Waldner, Director Environmental Services
Palmer Engineering

From: Ralph Schuler, JR.
Palmer Engineering
Kentucky Accredited Asbestos Inspector #ETC-AIR-120121-00900

Date: January 9, 2023

Project and Structure Identification

Project: Monroe County: Item No. 3-40002
Structure ID: #086B00048N
Structure Location: Mt. Hermon Rd (KY 678) over Peter Fork, Monroe County, Kentucky
Sample Description: No suspect asbestos containing (ACM) were observed
Inspection Date: August 2, 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. No suspect asbestos containing (ACM) were observed.





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

TC 62-226
Rev. 01/2016
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RIGHT OF WAY CERTIFICATION

<input checked="" type="checkbox"/>	Original	<input type="checkbox"/>	Re-Certification	RIGHT OF WAY CERTIFICATION	
ITEM #		COUNTY		PROJECT # (STATE)	PROJECT # (FEDERAL)
3-40002.00		Monroe		1100 FE02 086 625B00048N	
PROJECT DESCRIPTION					
Stringtown Flippin Road; Bridge Replacement Project					
<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		2	EXCEPTION (S) Parcel #		ANTICIPATED DATE OF POSSESSION WITH EXPLANATION
Number of Parcels That Have Been Acquired					
Signed Deed		2			
Condemnation					
Signed ROE					
Notes/ Comments (Text is limited. Use additional sheet if necessary.)					
LPA RW Project Manager			Right of Way Supervisor		
Printed Name				Printed Name	
Signature				Signature	
Date				Date	
Right of Way Director			FHWA		
Printed Name				Printed Name	
Signature				Signature	
Date				Date	

Digitally signed by Kelly Divine
Date: 2024.01.18 06:56:03 -06'00'

Mike Russell
1/17/2024

UTILITIES AND RAIL CERTIFICATION NOTE

MONROE COUNTY
NO FEDERAL NUMBER AVAILABLE
BRDGMAIN
MILE POINT: 8.595 TO 8.596
BRIDGE REPLACEMENT ON KY-678 OVER PETER CREEK (086B00048N).
ITEM NUMBER: 03-40002.00

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.

UTILITIES AND RAIL CERTIFICATION NOTE

**MONROE COUNTY
NO FEDERAL NUMBER AVAILABLE
BRDGMAIN
MILE POINT: 8.595 TO 8.596
BRIDGE REPLACEMENT ON KY-678 OVER PETER CREEK (086B00048N).
ITEM NUMBER: 03-40002.00**

PROJECT NOTES ON UTILITIES continued

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 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.

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

Tri-County Electric Membership Cooperative Corporation - Electric

Monroe County Water District - Water

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

South Central Rural Telecommunications Cooperative, Inc. - Telephone

UTILITIES AND RAIL CERTIFICATION NOTE

MONROE COUNTY
NO FEDERAL NUMBER AVAILABLE
BRDGMAIN
MILE POINT: 8.595 TO 8.596
BRIDGE REPLACEMENT ON KY-678 OVER PETER CREEK (086B00048N).
ITEM NUMBER: 03-40002.00

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

AREA FACILITY OWNER CONTACT LIST

Facility Owner	Address	Contact Name	Phone	Email
Monroe County Water District - Water	205 Cap Harlan Road Tompkinsville KY 42167	Jimmy Simmons	2704878131	mcwdjrs@scrtc.com
South Central Rural Telecommunications Cooperative, Inc. - Telephone	P.O. Box 159 Glasgow KY 42142	Kenny McGuire	2706788290	Kenny.McGuire@scrtc.net
Tri-County Electric Membership Cooperative Corporation - Electric	P.O. Box 40 Lafayette TN 37083	Steve Linville	6156662111	slinville@tcemc.org



KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF ENVIRONMENTAL ANALYSIS
CATEGORICAL EXCLUSION DETERMINATION

TC 58-48
Rev. 10/2019
Page 1 of 1

1. PROJECT SUMMARY

Item #: 4-40000	Project Sponsor: KYTC
Route(s): KY 1195 Pleasant Run Creek	County: Marion
Project Description: The new bridge at 078B00053N (Item No. 4-40000) will be replaced in the same location with current geometrics (bridge width, length, hydraulic opening, etc.) to minimize environmental impacts, utility impacts, and to minimize the need for new right-of-way. All traffic will be detoured onto existing roads, rather than on temporary crossing of the streams. A temporary on-site diversion is not required for this bridge project.	

2. ENVIRONMENTAL DETERMINATION

Functional Area	Determination	Comments/Commitments/Mitigation
Public and Resource Agency Controversy	No	
Total acreage of fee simple ROW	0	no temporary easments would be needed.
Number of Total Relocations	0	
Environmental Justice Impacts	No	
Section 106: Architectural Historic	No Effect	SHPO concurrence 01/23/2023
Section 106: Archaeological Resources	No Effect	DND on plans. SHPO concurrence 01/26/2023
Section 4(f)	No 4(f) Properties	
Section 6(f)	No 6(f) Properties	
Noise	Not a Type I	
Air Quality Impacts	No	STIP 2021-2024 "Z-Various" Page 1
Hazardous Materials Impacts	No	No ACM 09/01/2022
Section 7: T&E Species	Likely to Adversely Affect	AE - IN bat GB (CMOA); 4(d) - NLEB; NE mussels.
Anticipated Feet of Stream Impacts	20	
Anticipated Acreage of Wetland Impacts	0	
Anticipated Permits	No	no KDOW or USACE permits needed. KPDES needed, if >1ac.
Other: Section 7	Tree Clearing	No tree clearing in June or July.
Other:		
Other:		

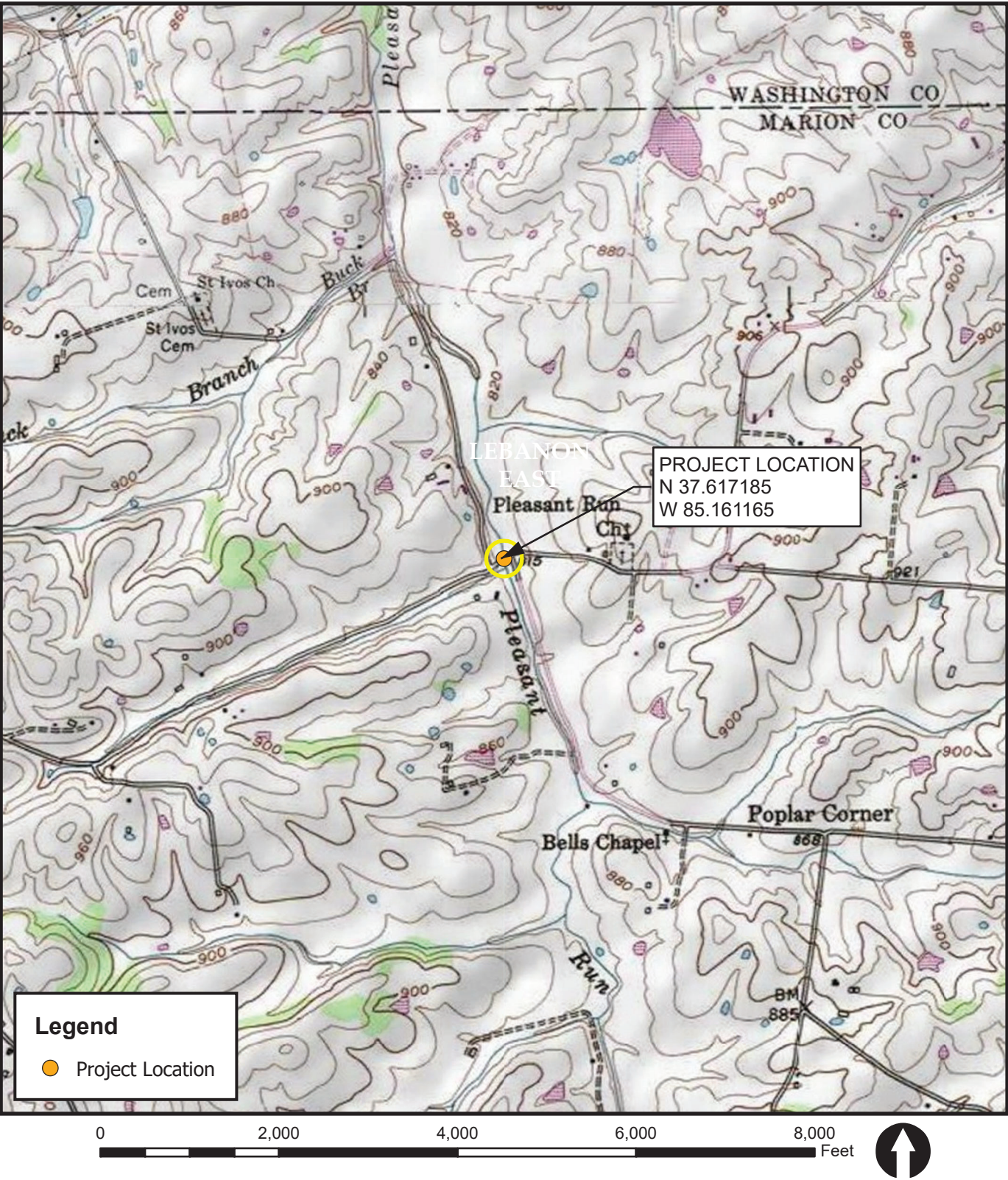
Based on the criteria listed above, in review of the most recent Categorical Exclusion Agreement between KYTC and FHWA, the subject project is determined to be considered a Categorical Exclusion, Level CEMP.

3. ENVIRONMENTAL DOCUMENT APPROVAL

Based on the information obtained during the environmental review process and included as attachments to this form, the project is determined to be a Categorical Exclusion under 23 CFR part 771 pursuant to the National Environmental Policy Act and complies with all other applicable environmental laws, regulations, and Executive Orders. The project action does not individually or cumulatively have a significant effect on the natural and human environment.

_____	_____	<i>Tom Springer</i>	4/11/23
District Environmental Coordinator	Date	Project Manager	Date
<i>Tyler Reynolds</i>	04/12/23	_____	_____
Environmental Project Manager	Date	Director of Environmental Analysis	Date
_____	_____	_____	_____
Recommended by FHWA	Date	Federal Highway Administration	Date

Source: USA Topo Maps, (2013) National Geographic Society, USGS 7.5-minute Topographic Map - LEBANON EAST, Kentucky Quadrangle.



BRIDGE NO.: 078B00053N
MARION COUNTY, KENTUCKY
KYTC ITEM NO.: 4-40000



PROJECT LOCATION
MAP

Z:\Projects\1300-1399\1308 Lochner Bridges Environmental Support, KYMap Documents\Lochner Bridges- TC3.aprx, 02-9-2023, tcubertson



Cultural Historic
Program Review Form for Architectural History

KYTC No: 4-40000.00	Bridge No: 078B00053N
Route: KY 1195 over Pleasant Run Creek	Year Built: 1980
County: Marion	Bridge Project Type: Replacement
KHC Site Check: FY23-5113	Lat/Long: 37.617159/-85.161216

Project Type Listed the FHWA/KYTC/ACHP Section 106 Programmatic Agreement 2019:
○ Attachment #2-11. Bridge rehabilitation, reconstruction, or replacement Replacement

Area of Potential Effects defined as a distance of 150-foot from the centerline of the Project in all directions as per SHPO guidance and indicated on the attached maps.

Program Comment Bridge Type: Yes

Are there Historical Resources within the Project APE (per KHC database): No
NRHP-listed or potentially eligible sites/districts (>50 years): No

Is the bridge eligible for the NRHP: No

Are there Identified Sites in the APE: No

Site #	Eligibility	Effect	SHPO Concurrence Signature


Discuss Basis For Finding:
Photographs: Yes
Aerial/Topography Maps: Yes
Other:

POTENTIAL TO AFFECT HISTORIC PROPERTIES (If Adverse complete page 2): No Effect
Historic Context: *A Context for Common Historic Bridge Types*, NCHRP Project 25-25, Task15, prepared for the National Cooperative Highway Research Program, Transportation Research Council, National Research Council. Prepared by Parsons Brinkerhoff and Engineering and Industrial Heritage, October 2005
https://www.dot7.state.pa.us/CRGIS_Attachments/Survey/A_Context_For_Common_Historic_Bridge_Types.pdf

ATTACHMENTS:
Map showing topography, APE, Identified Historic Resources: Yes
Relevant Photographs: Yes
KHC Survey Form(s): No
Project Plans: No

Date of Field Investigation:	12/19/2023	As Determined by:	Rebecca H. Turner/AECOM
Date of Desktop Review:	1/11/2023	QA/QC Determined by:	Robert Ball, CRA

Organization	Name	Title	Date
KYTC DEA:			
KYSHPO:	<i>Matt Zagler</i>	106 Reviewer	1/23/2023

	Kentucky Transportation Cabinet Federal Highway Administration NO EFFECT FINDING																				
KYTC Item No:	4- 40000	Route:	Ky-1195 over Pleasant Run Creek Bridge ID: 078B00053N																		
County(ies):	Marion																				
Project Description: (Type of improvement, areas to be impacted, crossroad improvements, easements, etc.)																					
The project will involve either rehabilitation or replacement of the existing bridge. Rehabilitation of the bridge may range from repairs to the existing deck, superstructure (i.e., support beams), and/or substructure (i.e., abutments and piers) to complete removal and replacement of the deck and superstructure. Repairs may include milling and resurfacing of the deck, patching the superstructure and substructure with concrete, and painting metal components. Component replacement activities may include a new superstructure with beams, deck, and railing. Replacement of the existing bridge will involve complete removal of the existing bridge and construction of a new bridge at the same location with current geometrics (e.g., bridge width, length, hydraulic opening, etc.). Bridge rehabilitation and replacement may require work in the stream, including a temporary stream crossing and/or work pad, and temporary easements may be needed for construction access. Channel protection may be added around the existing abutments, and bridge approach roadway pavement may be replaced in the direct vicinity of the bridge. Traffic will be detoured onto existing roads.																					
<u>LISTED SPECIES</u>																					
<table><tr><td>Gray Bat</td><td><i>Myotis grisescens</i></td></tr><tr><td>Indiana bat</td><td><i>Myotis sodalis</i></td></tr><tr><td>Northern Long-eared Bat</td><td><i>Myotis septentrionalis</i></td></tr><tr><td>Clubshell</td><td><i>Pleurobema clava</i></td></tr><tr><td>Fanshell</td><td><i>Cyprogenia stegaria</i></td></tr><tr><td>Orangefoot Pimpleback</td><td><i>Plethobasus cooperianus</i></td></tr><tr><td>Pink Mucket (pearlymussel)</td><td><i>Lampsilis abrupta</i></td></tr><tr><td>Rabbitsfoot</td><td><i>Quadrula cylindrica cylindrica</i></td></tr><tr><td>Ring Pink</td><td><i>Obovaria retusa</i></td></tr></table>				Gray Bat	<i>Myotis grisescens</i>	Indiana bat	<i>Myotis sodalis</i>	Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Clubshell	<i>Pleurobema clava</i>	Fanshell	<i>Cyprogenia stegaria</i>	Orangefoot Pimpleback	<i>Plethobasus cooperianus</i>	Pink Mucket (pearlymussel)	<i>Lampsilis abrupta</i>	Rabbitsfoot	<i>Quadrula cylindrica cylindrica</i>	Ring Pink	<i>Obovaria retusa</i>
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GB and IB will be addressed per the 2020 Programmatic BO including a contribution to the IBCF, as appropriate. The NLEB will be addressed via the final 4(d) Rule and the 2016 Programmatic BO for the final 4(d) Rule, as appropriate.																					
Methodologies: (Methods of assessment, who, what, when, resources, etc.)																					
Site visit performed by Copperhead Environmental Consulting Inc (Copperhead) on February 02, 2023. Review of available GIS data to identify potential habitat for federally listed species following guidance in the KYTC Habitat Assessment Manual (2017).																					

Results: (Compare habitat used by listed species with available habitat)

Mussels: Clubshell inhabit small to large waterways in clean, coarse sand and cobble mixes with a discernable current, most commonly downstream of riffles and islands. It is described as intolerant to mud and very susceptible to siltation. Fanshell are most often associated with stable substrates of sand, gravel, and cobble. They are usually found at shallow depths (≤ 3 ft) in strongly flowing water in large streams and rivers. Pink Mucket prefer sandy mud and gravel substrates of medium to large rivers, in moderate to fast flowing water. Rabbitsfoot primarily are found in small to medium-sized streams and some larger rivers with substrates of gravel and sand. The Orangefoot pimpleback inhabits medium to large sized rivers in sand and gravel substrate with flowing water at average depths of 12 to 18 feet. The Ring pink mussel is known to inhabit medium to large sized rivers and are often found in gravel and sandy substrates in shallow water typically less than 2 feet deep.

Pleasant Run Creek is part of the Rolling Fork watershed in the Salt River Basin. It is a medium sized stream (20-25 ft wide) with depths ranging from a few inches downstream to a foot upstream with deeper pools under the bridge (<2 feet). Substrate is predominately bedrock and cobble covered with fine sediment. Infrequent riffles occur and are mainly in the downstream portion of the stream. No live mussels or relic shells were found during the habitat assessment. For these reasons, the project area does not provide suitable habitat for mussel species.

Determinations:

Mussels: No Effect

The project has been assessed in accordance with the provisions of Section 7 of the Endangered Species Act. As a designated representative of the FHWA, the KYTC has determined that the project will have No Effect on any listed species or their critical habitat, other than the gray bat, Indiana bat, and northern long-eared bat, and further Section 7(a)(2) consultation with the Service is not required with the exception of the gray bat, Indiana bat, and northern long-eared bat.

Nathan Click

KYTC Signature

2/13/2023

Date

Nathan Click

Print Name

Prepared by:

Copperhead Environmental Consulting Inc

Firm Name

2/13/2023

Date



ANDY BESHEAR
GOVERNOR

TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL
THE STATE HISTORIC PRESERVATION OFFICE

MICHAEL E. BERRY
SECRETARY

JACQUELINE COLEMAN
LT. GOVERNOR

410 HIGH STREET
FRANKFORT, KENTUCKY 40601
(502) 564-7005
www.heritage.ky.gov

CRAIG A. POTTS
EXECUTIVE DIRECTOR &
STATE HISTORIC PRESERVATION OFFICER

January 26, 2023

Mr. Daniel R. Peake, Director
Division of Environmental Analysis
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, Kentucky 40602

Re: *Phase I Archaeological Survey for the Replacement of Bridge 078B00053N at Short Line Pike (KY 1195) over Pleasant Run in Marion County, Kentucky.* Report by: Joshua Thomson
Kentucky Bridges Program
KYTC Item #s 4-40000

Dear Mr. Peake,

Thank you for your recent digital submission of an archaeological report pertaining to the above-referenced bridge replacement. We understand that the Federal Highway Administration is the lead federal agency for this undertaking.

Three archaeological sites (15Mn142, 15Mn143, and 15Mn144) were located within the area of potential effects (APE) during investigation. We accept the archaeology report without revision.

Boundaries of site 15Mn142 were fully delineated during investigation and do not extend beyond the APE. The author recommends site 15Mn142 as ineligible for the National Register of Historic Places (NRHP).

Boundaries for site 15Mn144 are recorded as extending beyond the APE. The portions of site 15Mn144 beyond the APE remain unassessed. The author recommends portions of site 15Mn144 within the APE as ineligible for listing in the NRHP.


Site 15Mn143 corresponds with Historical Marker #670 for Sandusky Station. Based on criterion D, the author recommends site 15Mn143 as potentially eligible for the NRHP. We concur with the author's eligibility recommendations for sites 15Mn142, 15Mn143, and 15Mn144.

The author recommends that site 15Mn143 and the entire southwest quadrant should be avoided during project activities. We understand that site 15Mn143 is located within the southwestern quadrant of this replacement project and that the project manager has agreed to avoid the area during project activities. We also understand that a "Do Not Disturb/ Environmentally Sensitive Area" will be added to project plans for the construction contractor to help ensure avoidance of the area.

KYTC recommends a determination of *No Historic Properties Affected* for these undertakings. We would concur with those determinations with the understanding that site 15Mn143 be avoided during project activities.

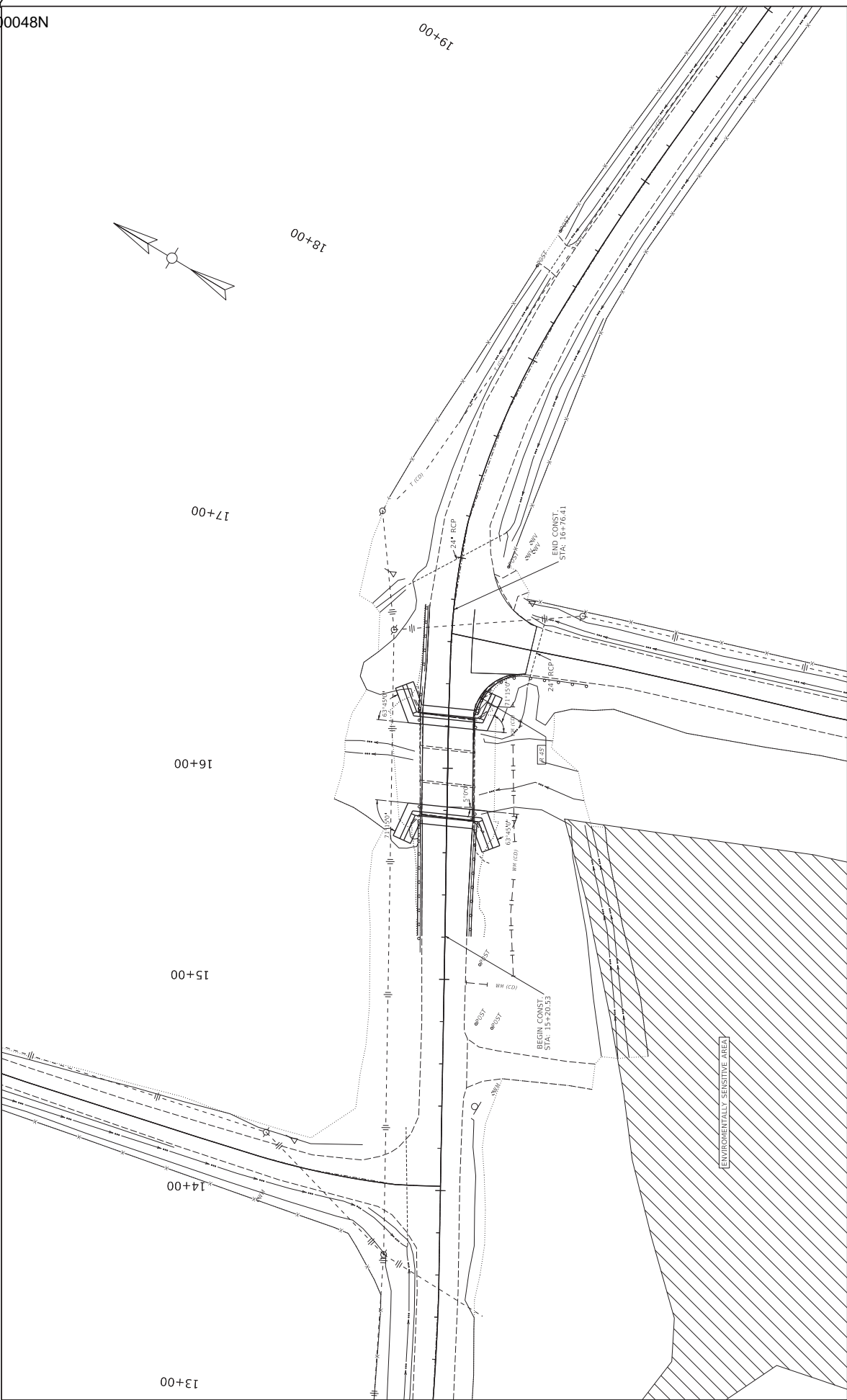
Please feel free to contact Stephanie Dooley with any questions or concerns at Stephanie.Dooley@ky.gov

Sincerely,



Craig A. Potts,
Executive Director and
State Historic Preservation Officer

KHC # 230193
cp: sd
e-cc: Tom Springer (Qk4), Anne Bader (CIA), Phil Mink (OSA)



	COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS		DRAWING TITLE: KY 1195-PLEASANT RUN PLAN VIEW	HORIZONTAL SCALE SCALE: 1" = 30'		STA TO	ITEM NO. SHEET NO. R004	COUNTY OF HARRISON

FILE NAME: C:\PWORK\KTC\ATE\HARRISON\1195_BRIDGE_PLAN_SHEET.DGN

USER: BMD\BKS

OpenRoads Designer v10.16.2.267

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

Section: 0001 - PAVING

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00003		CRUSHED STONE BASE	117.00	TON		\$	
0020	00078		CRUSHED AGGREGATE SIZE NO 2	242.00	TON		\$	
0030	00221		CL2 ASPH BASE 0.75D PG64-22	162.00	TON		\$	
0040	00296		ASPHALT PRIME COAT	.40	TON		\$	
0050	00301		CL2 ASPH SURF 0.38D PG64-22	40.00	TON		\$	
0060	24970EC		ASPHALT MATERIAL FOR TACK NON-TRACKING	.40	TON		\$	

Section: 0002 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0070	00078		CRUSHED AGGREGATE SIZE NO 2	111.00	TON		\$	
0080	01000		PERFORATED PIPE-4 IN	416.00	LF		\$	
0090	01010		NON-PERFORATED PIPE-4 IN	68.00	LF		\$	
0100	01015		INSPECT & CERTIFY EDGE DRAIN SYSTEM	1.00	LS		\$	
0110	01024		PERF PIPE HEADWALL TY 2-4 IN	2.00	EACH		\$	
0120	01987		DELINEATOR FOR GUARDRAIL BI DIRECTIONAL WHITE	4.00	EACH		\$	
0130	02014		BARRICADE-TYPE III	2.00	EACH		\$	
0140	02159		TEMP DITCH	150.00	LF		\$	
0150	02160		CLEAN TEMP DITCH	75.00	LF		\$	
0160	02200		ROADWAY EXCAVATION	533.00	CUYD		\$	
0170	02242		WATER	2.80	MGAL		\$	
0180	02371		GUARDRAIL END TREATMENT TYPE 7	4.00	EACH		\$	
0190	02429		RIGHT-OF-WAY MONUMENT TYPE 1	6.00	EACH		\$	
0200	02432		WITNESS POST	2.00	EACH		\$	
0210	02483		CHANNEL LINING CLASS II	63.00	TON		\$	
0220	02545		CLEARING AND GRUBBING -	1.00	LS		\$	
0230	02562		TEMPORARY SIGNS	60.50	SQFT		\$	
0240	02585		EDGE KEY	40.00	LF		\$	
0250	02602		FABRIC-GEOTEXTILE CLASS 1	228.00	SQYD		\$	
0260	02604		FABRIC-GEOTEXTILE CLASS 1A	1,084.00	SQYD		\$	
0270	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0280	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		\$	
0290	02697		EDGELINE RUMBLE STRIPS	600.00	LF		\$	
0300	02701		TEMP SILT FENCE	150.00	LF		\$	
0310	02703		SILT TRAP TYPE A	1.00	EACH		\$	
0320	02704		SILT TRAP TYPE B	1.00	EACH		\$	
0330	02705		SILT TRAP TYPE C	1.00	EACH		\$	
0340	02706		CLEAN SILT TRAP TYPE A	1.00	EACH		\$	
0350	02707		CLEAN SILT TRAP TYPE B	1.00	EACH		\$	
0360	02708		CLEAN SILT TRAP TYPE C	1.00	EACH		\$	
0370	02726		STAKING	1.00	LS		\$	
0380	02731		REMOVE STRUCTURE	1.00	LS		\$	
0390	05952		TEMP MULCH	1,343.00	SQYD		\$	
0400	05953		TEMP SEEDING AND PROTECTION	1,007.00	SQYD		\$	

Report Date 8/22/24

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0410	05963		INITIAL FERTILIZER	.06	TON		\$	
0420	05964		MAINTENANCE FERTILIZER	.10	TON		\$	
0430	05985		SEEDING AND PROTECTION	63.00	SQYD		\$	
0440	05992		AGRICULTURAL LIMESTONE	1.20	TON		\$	
0450	06514		PAVE STRIPING-PERM PAINT-4 IN	600.00	LF		\$	
0460	20194ED		REMOVE & RESET TRAFFIC SIGN	1.00	EACH		\$	
0470	20550ND		SAWCUT PAVEMENT	40.00	LF		\$	
0480	21802EN		G/R STEEL W BEAM-S FACE (7 FT POST)	100.00	LF		\$	
0490	23277EN11F		TURF REINFORCEMENT MAT 4	441.00	SQYD		\$	

Section: 0003 - BRIDGE - 086B00048N

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0500	03299		ARMORED EDGE FOR CONCRETE	64.70	LF		\$	
0510	08002		STRUCTURE EXCAV-SOLID ROCK	132.00	CUYD		\$	
0520	08003		FOUNDATION PREPARATION	1.00	LS		\$	
0530	08019		CYCLOPEAN STONE RIP RAP	380.00	TON		\$	
0540	08100		CONCRETE-CLASS A	262.50	CUYD		\$	
0550	08104		CONCRETE-CLASS AA	61.70	CUYD		\$	
0560	08150		STEEL REINFORCEMENT	23,606.00	LB		\$	
0570	08151		STEEL REINFORCEMENT-EPOXY COATED	6,814.00	LB		\$	
0580	08662		PRECAST PC BOX BEAM CB17-48	586.80	LF		\$	
0590	23378EC		CONCRETE SEALING	4,860.00	SQFT		\$	
0600	25017ED		RAIL SYSTEM SIDE MOUNTED MGS	156.30	LF		\$	

Section: 0004 - DEMOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0610	02569		DEMOBILIZATION	1.00	LS		\$	