



CALL NO. 327

CONTRACT ID. 211057

JEFFERSON COUNTY

FED/STATE PROJECT NUMBER FD04 056 0264 013-015

DESCRIPTION I-264

WORK TYPE SOUND BARRIER WALL

PRIMARY COMPLETION DATE 6/30/2022

LETTING DATE: December 10,2021

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 am EASTERN STANDARD TIME December 10,2021. Bids will be publicly announced at 10:00 am EASTERN STANDARD TIME.

PLANS AVAILABLE FOR THIS PROJECT.

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

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PART I

SCOPE OF WORK

ADMINISTRATIVE DISTRICT - 05

CONTRACT ID - 211057
FD04 056 0264 013-015
COUNTY - JEFFERSON
PCN - DE05602642157
FD04 056 0264 013-015

I-264 (MP 14.50) SOUND BARRIER WALL I-264 WB OFF-RAMP TO NEWBURG RD, MP 14.5 TO MP 14.6 (MP 14.60),
A DISTANCE OF 0.14 MILES.SOUND BARRIER WALL SYP NO. 05-80051.00.
GEOGRAPHIC COORDINATES LATITUDE 38:12:08.00 LONGITUDE 85:41:20.00

COMPLETION DATE(S):
COMPLETED BY 06/30/2022 APPLIES TO ENTIRE CONTRACT

CONTRACT NOTES

PROPOSAL ADDENDA

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

BID SUBMITTAL

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

JOINT VENTURE BIDDING

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

UNDERGROUND FACILITY DAMAGE PROTECTION

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

REGISTRATION WITH THE SECRETARY OF STATE BY A FOREIGN ENTITY

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

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

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

SPECIAL NOTE FOR PROJECT QUESTIONS DURING ADVERTISEMENT

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

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

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

HARDWOOD REMOVAL RESTRICTIONS

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

INSTRUCTIONS FOR EXCESS MATERIAL SITES AND BORROW SITES

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

ACCESS TO RECORDS

The contractor, as defined in KRS 45A.030 (9) agrees that the contracting agency, the Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this contract for the purpose of financial audit or program review. Records and other prequalification information confidentially

disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS 61.878(1)(c). The contractor also recognizes that any books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS 61.870 to 61.884.

In the event of a dispute between the contractor and the contracting agency, Attorney General, or the Auditor of Public Accounts over documents that are eligible for production and review, the Finance and Administration Cabinet shall review the dispute and issue a determination, in accordance with Secretary's Order 11-004.

April 30, 2018

SPECIAL NOTE FOR RECIPROCAL PREFERENCE

RECIPROCAL PREFERENCE TO BE GIVEN BY PUBLIC AGENCIES TO RESIDENT BIDDERS

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

April 30, 2018

PROJECT TRAFFIC COORDINATOR (PTC)

Be advised this project is a significant project pursuant to section 112.03.12.

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JEFFERSON COUNTY
Extend Existing Sound Barrier Wall on I-264 near Newburg
Road. Approximately 750' West.
Item No. 05-80051.00
FD04-056-0264-013-015

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SOUND BARRIER WALL PROJECT DESCRIPTION

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The purpose of this project is to extend the existing sound barrier wall along the I-264 (Watterson Expressway) off-ramp to Newburg Road and along Newburg Road as shown on the plan set. The project includes the following items:

- Installation of sound barrier wall which includes the design of the sound barrier wall; and
- The entirety of this wall to be mounted on an existing retaining wall; and
- Removing and re-installing existing traffic signage; and
- Clearing and grubbing of existing vegetation; and
- Partial removal of existing fencing; and
- Maintaining and controlling traffic; and
- Other miscellaneous items defined in the plans, notes, and estimated bid item quantities.

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GENERAL NOTES

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UNDERGROUND UTILITIES:

The Contractor shall use all possible care in his operations to avoid damaging existing pipes and any underground existing utilities. He shall be responsible for any damages to the above-mentioned items and shall repair or restore at his own expense any items damaged as the result of his operations.

OVERHEAD UTILITIES:

The minimum vertical clearance of existing overhead utilities should be 18 feet on state roads and 24 feet when crossing interstate or other limited access highway roadways and ramps. Clearance must also adhere to the requirements of the National Electric Safety Code, American Standards Institute, and Institute of Electrical and Electronic Engineers, Inc. Any questions concerning working around the existing facilities in the area can be addressed at the preconstruction meeting.

UTILITIES (HAZARDOUS OR FLAMMABLE MATERIAL):

The Contractor is advised to exercise caution in his operations in areas of gas line or other lines carrying hazardous material.

CONSTRUCTION MATERIAL DISPOSAL:

All material that is required to be removed shall be disposed of off the Right-of-Way at sites acquired by the Contractor and approved by the Engineer, at no additional cost to the department, per section 204.03.08 of current KYTC Standard Specifications.

EXISTING and NEW SIGNS:

It is the Contractor's responsibility to reset any existing signs inside the project limits that are affected by the project. This includes moving signs, adjusting the height, etc. The contractor shall contact the District 5 Traffic Department prior to removing, relocating, or replacing any signage. Existing sign relocation work will be directed by the Engineer.

EXISTING LIGHTING:

The Contractor shall maintain the remaining lighting system in a fully functional manner. Any damages due to the Contractor's operations shall be repaired at his own expense.

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AVOIDANCE OF UNDERGROUND TRAFFIC DEVICES:

It is the Contractor's responsibility to coordinate with Central Office traffic through the Engineer when working near or affecting underground traffic control devices located within the project limits. Locations of existing traffic devices may not be completely reflected on the plans and should be addressed before beginning construction. The Contractor shall be responsible for any damages to the above-mentioned items and shall repair or restore at their own expense any items damaged as a result of his operations.

BEFORE YOU DIG:

THE CONTRACTOR IS INSTRUCTED TO CALL 1-800-752-6007 TO REACH KY 811, THE ONE-CALL SYSTEM FOR INFORMATION ON THE LOCATION OF EXISTING UNDERGROUND UTILITIES. THE CALL IS TO BE PLACED A MINIMUM OF TWO (2) AND NO MORE THAN TEN (10) BUSINESS DAYS PRIOR TO EXCAVATION. THE CONTRACTOR SHOULD BE AWARE THAT OWNERS OF UNDERGROUND FACILITIES ARE NOT REQUIRED TO BE MEMBERS OF THE KY 811 ONE-CALL BEFORE-U-DIG (BUD) SERVICE. THE CONTRACTOR MUST COORDINATE EXCAVATION WITH THE UTILITY OWNERS, INCLUDING THOSE WHO DO NOT SUBSCRIBE TO KY 811. IT MAY BE NECESSARY FOR THE CONTRACTOR TO CONTACT THE COUNTY COURT CLERK TO DETERMINE WHAT UTILITY COMPANIES HAVE FACILITIES IN THE AREA.

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SPECIAL NOTES FOR SOUND BARRIER WALL CONSTRUCTION

FD04-056-0264-013-015

THIS PROJECT IS A FULLY CONTROLLED ACCESS HIGHWAY

GENERAL

All work shall be performed in accordance with the Department's Standard Specifications, current Standard Drawings, and the Manual on Uniform Traffic Control Devices (MUTCD), latest editions, except as specified in these notes or elsewhere in this proposal. Section references are to the Standard Specifications.

SITE PREPARATION

Be responsible for all site preparation, including, but not limited to, clearing and grubbing, incidental excavation, grading, backfilling, embankment, and ditching and shouldering; removal of obstructions or any other items; disposal of materials, waste, and debris; temporary and permanent erosion control; restoration, final dressing, and seeding and protection. The Department has not determined the area of clearing and grubbing, and the Contractor shall make his own determination. Construct silt traps and temporary silt fence as directed by the Engineer. Perform all site preparation only as approved or directed by the Engineer. Other than the items listed, all site preparation will be incidental to the lump sum bid for Site Preparation.

ON-SITE INSPECTION

Each Contractor submitting a bid for this work shall make a thorough inspection of the site prior to submitting his bid and shall thoroughly familiarize himself with existing conditions so that the work can be expeditiously performed after a contract is awarded. Submission of a bid will be considered evidence of this inspection having been made. Any claims resulting from site conditions will not be honored by the Department.

RIGHT-OF-WAY LIMITS

The Department has not established the exact limits of right-of-way. Limit activities to obvious Right-of-Way and work areas, if any, secured by the Department through consent and release of the adjacent property owners. Be responsible for all encroachments onto private lands.

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PROPERTY DAMAGE AND RESTORATION

The Contractor shall be responsible for all damage to public and/or private property resulting from the work. All disturbed features shall be restored in like kind materials and designed at no additional cost to the Department.

SOUND BARRIER WALLS

See Special Notes for Sound Barrier Walls and the Plans.

MAINTAINING AND CONTROLLING TRAFFIC

See Traffic Management General Notes and detail sheets in the Roadway Plan Set.

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SPECIAL NOTE FOR SOUND BARRIER WALLS

FD04-056-0264-013-015

I. DESCRIPTION

All work shall be performed in accordance with the Department's latest Standard and Supplemental Specifications and applicable Special Provisions and Standard and Sepia Drawings, except as specified in these notes or elsewhere in this proposal. Section references are to the Standard Specifications. This work shall consist of the sound barrier wall design, construction plans, shop drawing preparation, and construction of modular polyethylene sound barrier walls.

All references to AASHTO are to the AASHTO Standard Specifications for Highway Bridges, Current Edition with Interims.

All references to the Guide Specifications are to the AASHTO Guide Specifications for Structural Design of Barriers Current Edition with Interims.

The appendix to this Special Note contains the project specific requirements.

II. DESIGN

A. General

Furnish plans for sound barrier walls designed by a Registered Professional Engineer licensed to practice in the Commonwealth of Kentucky. Design according to the Guide Specifications, AASHTO, and the Contract plans and documents. Design for an 84-mph wind velocity. Design for exposure category in accordance with the Guide Specifications, see the Appendix. Design for wind pressure based on the Exposure Category and the height to the centroid (mid-height) of the loaded area. Apply the wind pressure as a uniform load. Design walls for backfill loadings where necessary as shown on the Roadway Cross Section sheets or as actual constructed conditions warrant.

The Contractor's design shall comply with all restrictions imposed by the site conditions and the proposal notes and plan sheets such as drainage, accommodation of existing and proposed utilities, limitations on dimensions or sound barrier wall location, fire hydrant access, and other conditions noted or found in the field. The top and bottom of the sound barrier wall elevation throughout shall be as shown on the contract plans.

B. Site Conditions

Be advised that Section 102.06 of the Specifications applies to this project. It shall be distinctly understood that any references in the contract plans and other contract documents to rock, rock disintegration zone, earth, or any other subsurface material

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whether in numbers, words, letters, or lines is solely for the Department's information. The Bidder draws his own conclusions as to the field conditions to be encountered.

C. Utilities

Take into consideration existing and proposed utilities and the Department's electrical service for interchange lighting in the vicinity of the sound barrier walls when developing sound barrier wall details. Show on the Contractor's plans and shop drawings additional work or materials necessary to construct the sound barrier wall without disturbing the utilities. Repair or replace features damaged during construction in like kind materials and design at no additional cost to the Department.

D. Contractor Submittals

Submit design calculations and plans to the Engineer for review within thirty calendar days of the 'Notice to Begin Work'. Submit adequate documentation of proprietary designs and/or products to the Engineer for review.

Submit three complete sets of the design calculations and five complete sets of the plans for the sound barrier wall to the Engineer for approval. Design calculations shall include the design for each component of the wall and the wall as a unit. Include the design for the horizontal connection between panels.

One set of design calculations and plans, with any corrections noted will be returned to the Contractor. Each time corrections are made, three copies of the revised calculation sheets and/or five copies of the revised plan sheets shall be submitted.

The Department will review the design calculations and plans for general conformance with the Guide Specifications, AASHTO, this Special Note, and the Contract Documents. The design calculations, plans, details and dimensions may not be completely checked. The Contractor shall be responsible for the accuracy of his design calculations and for compatibility with the contract plans. The Department's review will not relieve the Contractor of responsibility for the accuracy and completeness of the design calculations and plans.

Upon final approval by the Department, furnish original Mylar reproducible drawings of the Contractor's approved plans to the Engineer. The Department will provide copies of the approved plans to the Contractor.

Do not produce shop drawings before the Department's approval of the design calculations and Contractor's plans are completed. The Contractor's wall design Engineer providing the design calculations and plans shall be responsible for shop drawing review. The Contractor's wall design Engineer shall provide the Engineer ten sets of reviewed and approved shop drawings for the wall and provide the Department with a statement of assurance that the shop drawings are accurate and that they satisfy the project requirements. Each sheet of two copies of the shop drawings shall be dated, sealed, and signed by the wall design Engineer providing the Contractor's design for the wall. Place the Drawing Number on the lower right-hand side of all shop drawings.

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Do not order materials or begin fabrication or construction before the Department's review of the shop drawings is completed. The Contractor may request permission from the Engineer to begin foundation construction at his own risk. Written permission from the Engineer is required.

After acceptance by the Department, submit requests for changes to the design calculations, Contractor's approved plans and shop drawings to the Engineer. Obtain written acceptance from the Engineer before incorporating any of the requested changes into the work.

Allow thirty working days for the Department's review of each submission of the design calculations, Contractor's plans, and shop drawings for the sound barrier wall. The thirty-day period begins when the design calculations, Contractor's plans, or shop drawings are received by the Engineer. Additional time required by the Department to review re-submissions shall not be cause for extending the specified completion date. Provide additional re-submissions as requested at no additional cost to the Department and with no extension of the specified completion date.

III. SOUND BARRIER WALLS

Station 92+60 to 100+00 Wall Mounted

The sound barrier shall be a lightweight modular type wall mounted to the existing barrier wall. The lightweight modular wall shall be:

1. Absorptive of sounds (non-reflective).
 - a. Noise Absorption: The panels shall have a noise reduction coefficient of 1.00 or greater according to ASTM Test Method C423-09.
 - b. Sound Transmission: The panels shall have a sound transmission class of 30 or greater according to ASTM Test Method E90-09 and E413-87.
2. Color shall be similar to the existing lightweight sound barrier wall.
3. The panels shall be high-density polyethylene (injection molded encasement or box units) with antioxidant additives, UV stabilizers, color dyed from certified raw material. The panels shall meet the following specifications:

Sound Barrier Wall components made of plastic (polyethylene) are to be tested for resistance to ultraviolet-light exposure in accordance with ASTM G 155. Subject the specimen(s) to 8000 hours minimum of exposure at a temperature of 145° F (63° C). Perform the test at 20-minute cycles, consisting of 17 minutes of light and three minutes of water spray plus light. The lamp filter shall be Daylight. The lamp's irradiance level

shall be 0.35 W/m²/nm and the wavelength shall be 340 nm. Plastic or fiberglass component shall also be tested for resistance to salt spray (fog) exposure in accordance with ASTM B 117. Use salt spray in accordance with ASTM D 1141. Adjust the pH of solution to 4.7 with dilute H₂SO₄. There shall be no delamination, fading, discoloration, or embrittlement after exposure. All glazing material shall comply with the requirements of ANSI standard Z97.1.

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Plastic (polyethylene) components shall meet material requirements outlined in the following table:

Property	ASTM	Weathering/Exposure	Requirement
Salt Spray (Fog) Resistance	B 117	* Before and After 8000 hours	No signs of deterioration
Burn Rate and Extent of Burning	D 635	None Required	Burn Rate < 2.5 inches/min.
Resistance to Abrasion	D 1242 Method A	None Required	No signs of deterioration
Ignition Temperature	D 1929	None Required	≥ 650° F (343° C)
Color Change	D 2244	** Before and After 8000 hours	Color change shall not exceed 3 National Bureau of Standards Units
Smoke Density	D 2843	None Required	Smoke Density Rating < 50%
Burn Characteristics in a Vertical Position	D 3801	None Required	Afterflame plus Afterglow time of ≤ 3 sec. and dripped material does not ignite cotton
Brittleness	D 4812	** Before and After 8000 hours	Panel retains 75% of its' impact resistance after accelerated weathering when tested at 74° F (23° C) and 0° F (-18° C)
* Weathering shall be in accordance with ASTM B 117 as outlined above.			
** Weathering shall be in accordance with ASTM G 155 as outlined above.			

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4. Panels shall be non-conductive.
5. The acoustic fill shall be moisture and corrosive resistant, vermin proof, non-combustible, smokeless, and odorless. The internal acoustic barrier shall be ½" thick asphalt core impregnated sheathing board or a cement board of the same thickness and attaches to the back face of the panel.
6. Mounted to the existing barrier wall and constructed inside the right of way. Mounting brackets and or base plates and all portions of the wall shall be designed for the loads as described above.
7. All fabricated steel members (ASTM A709 A36 or ASTM A572 Grade 50 or ASTM A992) such as but not limited to, mounting brackets, base plates, and steel columns are to be hot dip galvanized after fabrication in accordance AASHTO M111 and M232 or ASTM A123. Any welding shall conform to AWS D1.1 and electrodes shall be E70xx.
8. Anchor bolts (A307 or A36) and all hardware shall be galvanized in accordance with ASTM A123.
9. The acoustically absorptive surface of the panels shall be installed facing traffic.

Longitudinally arranged channel sections on the bottom of the panel shall form a tongue and groove interlock joint when stacked. The panels and grooves shall allow for drainage or be sealed. End connections shall be a tongue and groove design with no overlapping contacts to assemble with the vertical columns.

IV. MATERIALS APPROVAL

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

V. CONSTRUCTION

Perform site preparation necessary to construct the sound barrier wall in accordance with the Standard Specifications, contract plans, Contractor's approved plans and notes in the proposal. Clear and grub the minimum area required to construct the wall. Sound standing trees and shrubs within the construction limits shall be trimmed or removed only as directed or approved by the Engineer.

Construct sound barrier walls in accordance with the contract plans, the Contractor's approved plans, and the approved shop drawings. Construct vertical and horizontal joints so that the sound barrier wall is structurally stable and with no sound leaks. Construct the face of the completed sound barrier wall without deviation from the vertical of more than ½ inch in ten feet and with horizontal alignment conforming to the base line shown on the contract plans.

After constructing the wall, clean all sound barrier wall surfaces. Use a cleaner selected by the Contractor and approved by the Engineer. Materials and labor shall be incidental to the unit price bid for Sound Barrier Wall.

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VI. MEASUREMENT

The Department will measure sound barrier walls in square feet of surface area in a vertical plane between the vertical and horizontal limits, top of wall elevations, and lateral limits shown on the Contractor’s approved plans or approved changes; however, tops of footings may be above the minimum depth of burial with no reduction in area to be measured.

Any area of the sound barrier wall outside the approved vertical and horizontal plan limits as shown on the approved plans or changes approved or directed by the Engineer will not be measured for payment. Approved adjustments in the area will be measured in square yards and the final quantity will be increased or decreased as applicable.

The Department will not measure caps, copings, joint sealants, void fill material, weep holes, connectors, trim, surface finish, stain, cleaning, fire hydrant access panel and post mounted sign, sample panels, and incidental items that are a normal part of the sound barrier wall construction but shall be incidental to Sound Barrier Wall-Wall Mounted.

VII. PAYMENT

Payment at the contract unit price per square foot shall be full complete compensation for all labor, materials, equipment, and incidentals to design and construction of the sound barrier walls.

CODE	PAY ITEM	PAY UNIT
02562	Temporary Signs	Square Feet
02650	Maintain & Control Traffic	Lump Sum
02671	Portable Changeable Message Board	Each
20257NC	Site Preparation	Lump Sum
24597EN	Sound Barrier Wall-Lightweight	Square Feet
02569	Demobilization	Lump Sum
05985	Seeding and Production	Square Yard

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APPENDIX

Standard Specifications: Kentucky Department of Highways Standard Specifications for Road and Bridge Construction, latest Edition.

AASHTO: AASHTO Standard Specifications for Highway Bridges, latest Edition with Current Interims.

Guide Specifications: AASHTO Guide Specifications for Structural Design of Barriers, latest Edition with Interims.

The Exposure Category is C.

Wall Mounted Finish Requirements:

The modular wall mounted portion shall be of a similar color as the existing lightweight sound barrier wall. The finish is as specified by the manufacturer.

Provide two samples of the modular polyethylene panels, a minimum of four feet long as proposed for production for the Department's approval. Retain one sample at the manufacturer or supplier for a standard of comparison for the production panels. Deliver the second sample to the project site.

Manufacture and delivering the samples to the job site will not be measured for separate payment but shall be incidental to Sound Barrier Wall and Sound Barrier Wall-Wall Mounted.

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SPECIAL NOTE FOR LIQUIDATED DAMAGES
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Liquidated Damages in the following amounts will be assessed for each hour or part of an hour that a lane closure remains in place during periods prohibited by the Traffic Control Plan:

<u>1ST HOUR</u>	<u>2ND HOUR</u>	<u>EACH HOUR THEREAFTER</u>
\$2,000	\$ 10,000	\$ 20,000

Contrary to KYTC Standard Specification Section 108.09, Liquidated damages will be assessed for the months of December through March.

Contrary to KYTC Standard Specification Section 108.09, Liquidated Damages will be assessed regardless of whether seasonal limitations prohibit the Contractor from performing work on the controlling operation.

All liquidated damages will be applied accumulatively.

All other applicable portions of KYTC Standard Specification Section 108 apply.

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PROJECT COMPLETION DATE

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The specified completion date for this project is **June 30, 2022**. See Special Note for Liquidated Damages.

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STANDARD DRAWINGS

TTC-115-04	LANE CLOSURE MULTIILANE HIGHWAY CASE I
TTC-135-03	SHOULDER CLOSURE
TTD-120	WORK ZONE SPEED LIMIT AND DOUBLE FINE SIGNS



Kentucky Transportation Cabinet
Division of Highway Design
TRAFFIC MANAGEMENT PLAN

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County: Jefferson Item No.: 05-80051

Federal Project No.: FD04 056-0264-013-015

Project Description:

Extend Existing Sound Barrier Wall on I-264 near Newburg Road. Approximately 750' West.

Roadway Classification: ☒ Urban ☐ Rural

☐ Local ☐ Collector ☐ Arterial ☒ Interstate

ADT (current) 1,964 (Ramp) 13,481 ((KY 1703) AM Peak Current no data
PM Peak Current no data % Trucks 5.1% (KY 1703)

Project Designation: ☒ Significant ☐ Other: _____

Traffic Control Plan Design:

Taper and Diversion Design Speeds _____

Minimum Lane Width _ Minimum Shoulder Width N/A

Minimum Bridge Width N/A

Minimum Radius N/A Maximum Grade N/A

Minimum Taper Length N/A Minimum Intersection Level of Service N/A

Existing Traffic Queue Lengths N/A Projected Traffic Queue Lengths N/A

Comments:

*See Traffic Management General Notes



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Division of Highway Design
TRAFFIC MANAGEMENT PLAN

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Discussion:

1) Public Information Plan	
a) Prepare with assistance from ☒ KYTC or ☐ _____	
b) Identify Trip Generators Referenced	f) Railroad Involvement Referenced
c) Identify Types of Road Users Referenced	g) Address Pedestrians, Bikes Mass Transit Referenced
d) Public Information Message Referenced	h) Address Timing, Frequency, Updates, Effectiveness of Plan Referenced
e) Public Information Strategies to be used Referenced	i) Police & Other Emergency Services Referenced



Kentucky Transportation Cabinet

Division of Highway Design

TRAFFIC MANAGEMENT PLAN

12/2010

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2) Temporary Traffic Control Plan (For Each Phase of Construction) Phase 1 & 2			
Exposure Control Measures		Positive Protection Measures	
a) Is Road Closure Allowed Type:	Referenced	a) Address Drop Off Protection Criteria	N/A
b) Detour Conditions	Referenced	b) Temporary Barrier Requirements	Referenced
c) Working Hour Restrictions	Referenced	c) Evaluation of Existing Guardrail Conditions	N/A
d) Holiday or Special Event Work Restrictions	Referenced	d) Address Temporary Drainage	N/A
e) Evaluation of Intersection LOS	N/A	Uniformed Law Enforcement Officers	N/A
f) Evaluation of Queue Lengths	N/A	Payment for Traffic Control*	
g) Evaluation of User Costs and Incentives/Disincentives	Referenced	a) Method of Project Bidding	Referenced
h) Address Pedestrians, Bikes, Mass Transit	N/A	b) Special Notes	Referenced
Work Vehicles and Equipment	Referenced	*Payment for traffic control items shall be in accordance with the Kentucky Department of Highways Standard Specifications for Road and Bridge Construction	
Comments:			
Phase I: Prepare site for construction			
Phase II: Install sound barrier wall			



Kentucky Transportation Cabinet
Division of Highway Design
TRAFFIC MANAGEMENT PLAN

12/2010
Page 4 of 7

Item No. 05-80051

APPROVAL:

(For Cody Davis)

10/29/2021

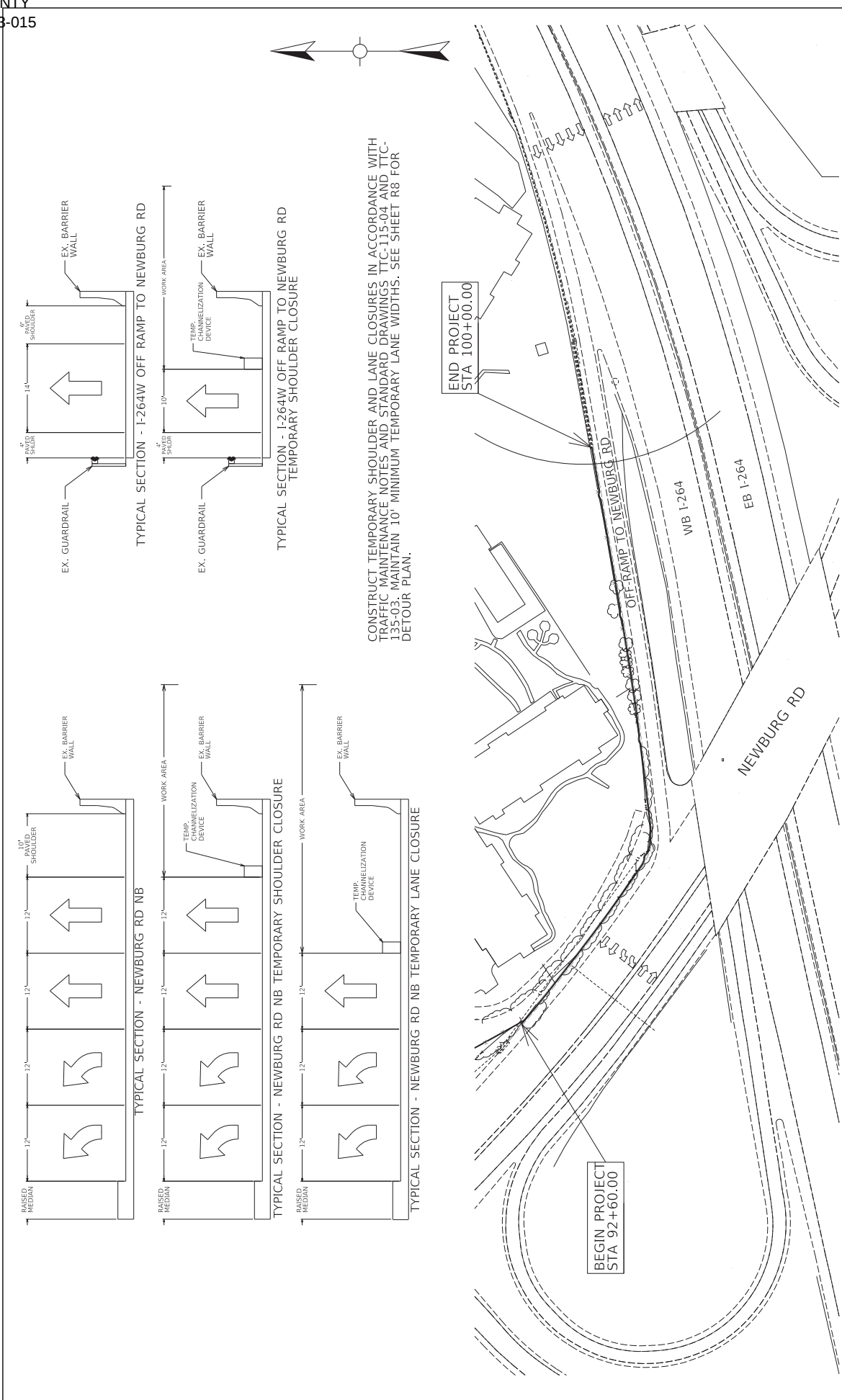
Project Manager Date

Project Delivery and Preservation Manager Date

Engineering Support Manager Date

FHWA Representative Date

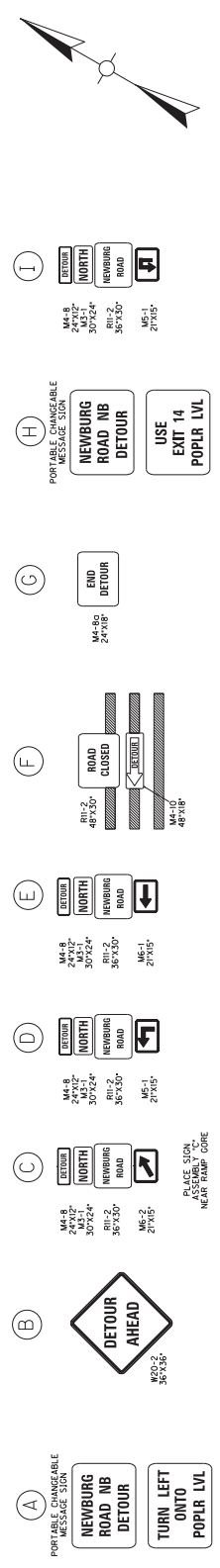
Revisions to the TMP require review/approval by the signatories.



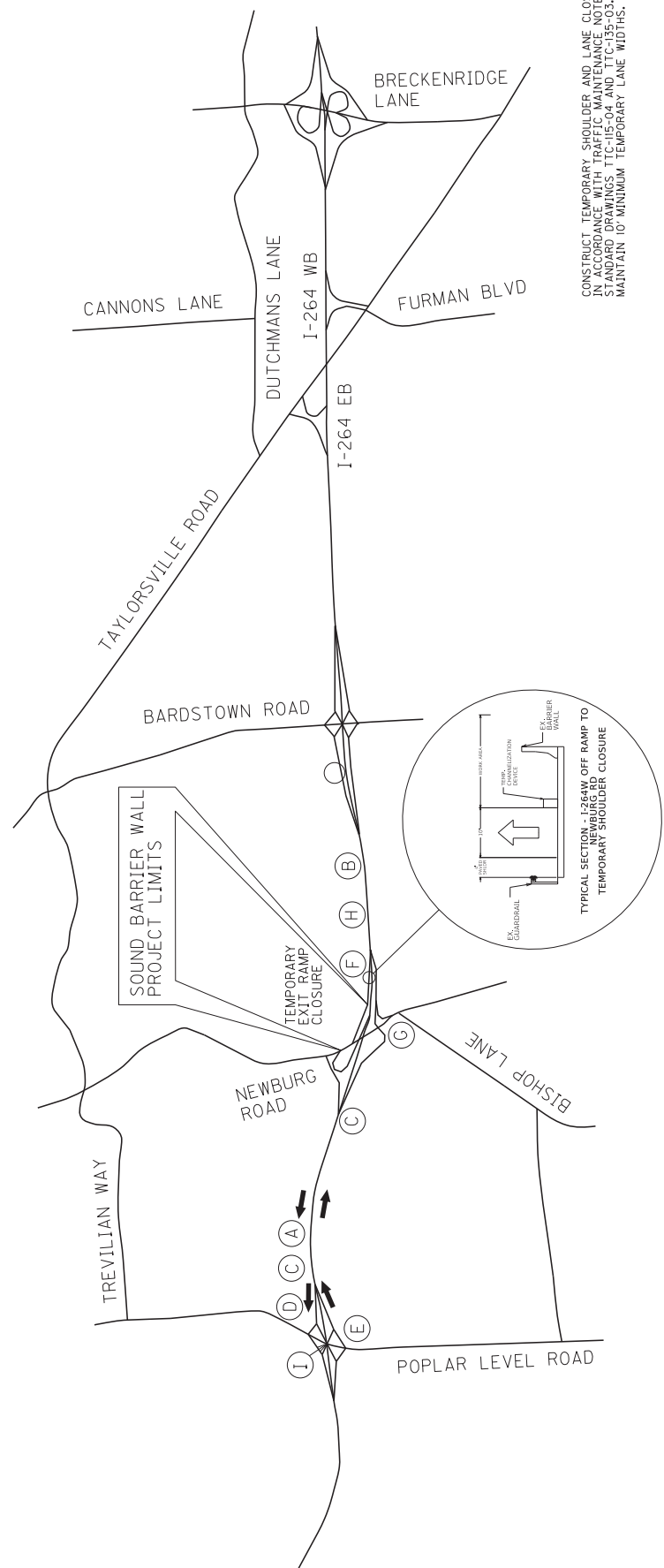
CONSTRUCT TEMPORARY SHOULDER AND LANE CLOSURES IN ACCORDANCE WITH TRAFFIC MAINTENANCE NOTES AND STANDARD DRAWINGS TTC-115-04 AND TTC-135-03. MAINTAIN 10' MINIMUM TEMPORARY LANE WIDTHS. SEE SHEET R8 FOR DETOUR PLAN.

	COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS		I-264 SOUND BARRIER WALL TRAFFIC MANAGEMENT PLAN	DATE PLOTTED: 9/12/2005 2:08:02 PM USER: cody/abms	FILE NAME: C:\PWORK\KATC_CODY.D\MSD1317\TRAFFIC\PLANS2.DGN	HORIZONTAL SCALE SCALE: 1" = 50'		ITEM NO. 05-80051.00 SHEET NO. R9	COUNTY OF JEFFERSON

DETOUR PLAN FOR I-264 WB EXIT RAMP TO NEWBURG ROAD NB TEMPORARY CLOSURE



FOR MAINTENANCE OF TRAFFIC ONLY



CONSTRUCT TEMPORARY SHOULDER AND LANE CLOSURES IN ACCORDANCE WITH TRAFFIC MAINTENANCE NOTES AND STANDARD DRAWINGS TTC-115-04 AND TTC-135-03. MAINTAIN 10' MINIMUM TEMPORARY LANE WIDTHS.

	COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS	I-264 SOUND BARRIER WALL TRAFFIC MANAGEMENT DETOUR PLAN	DATE PLOTTED: 9/12/2009 7:08:02 PM	FILE NAME: C:\PWORK\KTC\DOTY\DWG\I264\I264\FINAL PLANS2.DWG	HORIZONTAL SCALE 1" = 100'	VERTICAL SCALE 1" = 100'		ITEM NO.	COUNTY OF
								05-80051.00	JEFFERSON
								SHEET	810

TRAFFIC CONTROL GENERAL		TRAFFIC MANAGEMENT GENERAL NOTES		COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS		1-264 SOUND BARRIER WALL TRAFFIC MANAGEMENT GENERAL NOTES		FILE NAME: C:\PWORK\KYTC_COPY\DAVIDS1313749\FINAL PLANS.DWG		DATE PLOTTED: 9/7/2025 7:00:02 PM		USC: C05J.DWG		COUNTY OF JEFFERSON		ITEM NO. 05-80051.00 SHEET R11	
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KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT OF WAY & UTILITIES

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

RIGHT OF WAY CERTIFICATION

☒ Original	☐ Re-Certification	RIGHT OF WAY CERTIFICATION	
ITEM #	COUNTY	PROJECT # (STATE)	PROJECT # (FEDERAL)
5-80051.00	Jefferson	1100 FD04 056 1286801	
PROJECT DESCRIPTION			
EXTEND EXISTING SOUND WALL ON I-264 NEAR NEWBURG RD. APPROXIMATELY 750' WEST			
☒ 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.			
☐ 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.			
☐ 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			
☐ 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		EXCEPTION (S) Parcel #	ANTICIPATED DATE OF POSSESSION WITH EXPLANATION
Number of Parcels That Have Been Acquired			
Signed Deed			
Condemnation			
Signed ROE			
Notes/ Comments (Use Additional Sheet if necessary)			
LPA RW Project Manager		Right of Way Supervisor	
Printed Name		Printed Name	Tom Boykin
Signature		Signature	Tom Boykin Digitally signed by Tom Boykin Date: 2021.10.22 19:29:25 -0400
Date		Date	
Right of Way Director		FHWA	
Printed Name		Printed Name	
Signature	DM Loy Digitally signed by DM Loy Date: 2021.10.25 08:01:41 -04'00'	Signature	
Date		Date	

UTILITIES AND RAIL CERTIFICATION NOTE

**JEFFERSON COUNTY
FD04 056 12868 01C
WATTERSON EXPRESSWAY (I-264)/SOUND BARRIER WALL
KYTC ITEM NO.: 5-80051.00**

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

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

☒ No Rail Involved ☐ Minimal Rail Involved (See Below) ☐ Rail Involved (See Below)

UNDERGROUND FACILITY DAMAGE PROTECTION – BEFORE YOU DIG

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.

SPECIAL CAUTION NOTE – PROTECTION OF UTILITIES

The contractor will be responsible for contacting all utility facility owners on the subject project to coordinate his activities. The contractor will coordinate his activities to minimize and, where possible, avoid conflicts with utility facilities. Due to the nature of the work proposed, it is unlikely to conflict with the existing utilities beyond minor facility adjustments. Where conflicts with utility facilities are unavoidable, the contractor will coordinate any necessary relocation work with the facility owner and Resident Engineer. The

Kentucky Transportation Cabinet maintains the right to remove or alter portions of this contract if a utility conflict occurs.

UTILITIES AND RAIL CERTIFICATION NOTE

JEFFERSON COUNTY
FD04 056 12868 01C
WATTERSON EXPRESSWAY (I-264)/SOUND BARRIER WALL
KYTC ITEM NO.: 5-80051.00

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.

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

AREA UTILITIES CONTACT LIST AS PROVIDED BY KY 811

<u>Utility Company/Agency</u>	<u>Contact Name</u>	<u>Contact Information</u>
1. AT&T KY 1340 E. John Rowan Blvd Bardstown, KY 40004	Scott Roche Office (502) 348-4528 Cell (502) 827-4703 SR8832@att.com	
2. AT&T Legacy 7555 E. Pleasant Valley Road, Suite 140 Independence, OH 44131	Mike Diederich Office (216) 750-0135 Cell (216) 212-8556 MD4145@att.com Don Garr Cell (502) 741-8374 DonGarr@outlook.com	
3. Boardwalk Pipelines (See Texas Gas Transmission, LLC)		
4. Center Point Energy 2520 Lincoln Drive Clarksville, Indiana 47129	Jeff Donnelly, Transmission Department Office (812) 431-5670 Jeff.Donnelly@centerpointenergy.com Chris Wood, Engineering Manager	
5. CenturyLink Communications, LLC (See Lumen Technologies Inc.)		
6. Charter Communications 10168 Linn Station Road, Suite 120	Kevin Mercer Office (502) 357-4724	

UTILITIES AND RAIL CERTIFICATION NOTE

JEFFERSON COUNTY
FD04 056 12868 01C
WATTERSON EXPRESSWAY (I-264)/SOUND BARRIER WALL
KYTC ITEM NO.: 5-80051.00

Louisville, KY 40223

Cell (502) 817-5055

Kevin.Mercer@charter.com

Michael York

Cell (502) 548-1632

Michael.York@charter.com

7. Crown Castle Network Operations
10300 Ormsby Park Place, Suite 501
Louisville, KY 40223

Lisa Clark, Fiber Construction Manager
(810) 223-3780

Lisa.Clark@crowncastle.com

Mona Couch, Tower Manager
Office (317) 249-2029,

8. Crown Castle Fiber
3310 Ruckreigel Parkway
Jeffersontown, KY 40299

Lisa Clark, Construction Manager
(810) 223-3780

Lisa.Clark@crowncastle.com

Craig Brown, Manager-Network
Office (317) 819-8648,
Cell (585) 402-8342

Craig.Brown@crowncastle.com

9. Energy Transfer (See Mid-Valley Pipeline Company)

10. Fibertech (See Crown Castle Network Operation)

11. Jefferson County Public Schools (JCPS)
C B Young
Building 6
3001 Crittenden Drive
Louisville, KY 40209

Jeff Hardy

Office (502) 485-7975

Cell (502) 379-9315

Jeff.Hardy@Jefferson.kyschools.us

JDHardy70@gmail.com

Scott McMahan (Team Fishel)
Office (502) 456-2900
Cell (502) 664-9312

12. Kentucky Data Link (See Windstream)

UTILITIES AND RAIL CERTIFICATION NOTE

JEFFERSON COUNTY
FD04 056 12868 01C
WATTERSON EXPRESSWAY (I-264)/SOUND BARRIER WALL
KYTC ITEM NO.: 5-80051.00

13. Kentucky Wired, KCNA
500 Mero Street – Suite 1-1 NC #59
Frankfort, KY 40601

Ledcor, Service Provider
LTS Kentucky Managed Technical Services LLC
2008 Mercer Rd. 2nd floor
Lexington, KY 40511

Mike Hayden,
Chief Operating Officer
Office (502) 782-2535
Mike.Hayden@ky.gov

Nick Blake
Operations Manager
Office (859) 286-8158
Cell (859) 447-0781
Nick.Blake@Ledcor.com

Facility Map Requests to KIH.Technical.Services@ledcor.com
14. LG&E KU (Electric)
820 West Broadway
Louisville, KY 40202
LG&E Emergency Number (502) 589-1444
LG&E and KU Emergency Number 1-800-331-7370

Caroline Justice
Office (502) 627-3708
Caroline.Justice@LGE-KU.com
15. LG&E (Gas)
820 West Broadway
Louisville, KY 40202
Gas Emergency Number (502) 589-5511
LG&E and KU Emergency Number 1-800-331-7370

Caroline Justice
Office (502) 627-3708
Caroline.Justice@LGE-KU.com
16. Level 3 (See Lumen Technologies Inc.)
17. Lighttower (See Crown Castle Network Operation)
18. Louisville Water Company
550 South Third Street
Louisville, KY 40202

Pat Howard, PE
Office (502) 569-3615
Cell (502) 287-7568
PHoward@lwcky.com
19. Lumen Technologies Inc.
260 Winn Ave
Winchester, KY 40391

Lumen Technologies Inc.
848 S. 8th Street

Jim Trapnell, Field Operations
Cell (859) 806-5833
Jim.Trapnell@lumen.com
Kevin Webster, Field Operations
Office (502) 777-8622
Kevin.Webster@lumen.com

UTILITIES AND RAIL CERTIFICATION NOTE

JEFFERSON COUNTY
FD04 056 12868 01C
WATTERSON EXPRESSWAY (I-264)/SOUND BARRIER WALL
KYTC ITEM NO.: 5-80051.00

Louisville, KY 40203

Tim Hill, Relocation Project Manager
Cell (765) 230-7284
Tim.W.Hill@lumen.com

20. MCI (See Verizon)

21. Marathon Pipeline, LLC
539 South Main Street, Room X-05-018
Findlay, OH 45840
or
20-C Industrial Drive
Specialist
Lexington, OH 44904

Dennis Durnal
Office (502) 448-8311
Cell (419) 581-0038
DDurnal@marathonpetroleum.com
Austin Guyer / Sr. Right of Way
Office (317) 291-9460 x1233
Cell: 317-473-7441

AGuyer@marathonpetroleum.com

Facility Map Requests to Dennis & Austin
Aron Velasquez
Office (419) 421-3704

22. Metropolitan Sewer District
700 West Liberty Street
Louisville, KY 40203-1911

Brandon Flaherty
Office (502) 540-6632
Cell (502) 381-0804
Brandon.Flaherty@LouisvilleMSD.org
Greg Powell
Greg.Powell@LouisvilleMSD.org

23. Mid - Valley Pipeline Company
4910 Limaburg Road
Burlington, KY 41005

Richard (Todd) Calfee
Office (859) 371-4469 x14
Cell (859) 630-8271
Fax (866) 699-1185
Todd.Calfee@energytransfer.com
Justin White
Office (859) 371-4469
Cell (859) 630-1823
Justin.White@energytransfer.com
Bobby Scott
(859) 512-3877

Robert.Scott@energytransfer.com

Andy Wyderka, Mgr.-Pipeline

UTILITIES AND RAIL CERTIFICATION NOTE

JEFFERSON COUNTY
FD04 056 12868 01C
WATTERSON EXPRESSWAY (I-264)/SOUND BARRIER WALL
KYTC ITEM NO.: 5-80051.00

Operations

Office (859) 993-7392
Cell (419) 618-1505
Andrew.Wyderka@energytransfer.com

24. Spectrum (See Charter Communications)

25. Sprint - Fiber Optics
11370 Enterprise Park Drive
Sharonville, OH 45241

Steven T. Hughes
Office (513) 459-5796
Cell (513) 462-7221
Steven.Hughes@sprint.com

26. SunocoLogistics (See Mid-Valley Pipeline Company)

27. Texas Gas Transmission, LLC
2332 Hwy 60 West
Hardinsburg, KY 40143
610 W 2nd Street
PO Box 20008
Owensboro, KY 42301

Howard K. Menser Jr., Area Manager
Office (502) 491-0251
Cell (502) 396-2418
Howard.Menser@bwpipelines.com
Kevin Carman
Cell (270) 779-3893
Kevin.Carman@bwpmlp.com

10327 Gaslight Way
Louisville, KY 40299

Amanda Isom
(270) 688-5854
(270) 231-7629
Amanda.Isom@bwpmlp.com

Facility Map Requests to Kevin/Amanda/Thomas

28. Time Warner (See Charter Communications)

29. TRIMARC
Public Safety & Transportation Systems
901 West Main Street
Louisville, KY 40202

Todd Hood
Office (502) 290-7201
Cell (270) 307-7456
Todd.Hood@ngc.com

30. Vectren Energy Delivery of Indiana, Inc. (See Center Point Energy)

UTILITIES AND RAIL CERTIFICATION NOTE

JEFFERSON COUNTY
FD04 056 12868 01C
WATTERSON EXPRESSWAY (I-264)/SOUND BARRIER WALL
KYTC ITEM NO.: 5-80051.00

31. Verizon
730 West Henry Street
Indianapolis, IN 46225

Verizon
Ops
2421 Holloway Road
Louisville, KY 40299

Dean Boyers
Office (615) 777-7855
Cell (615) 507-5287
Dean.Boyers@verizon.com
Jeffrey Tucker, Engr III Spec-Ntwk Eng &

Office (502) 830-1827
Cell (502) 593-5585

Jeffrey.Tucker@verizon.com
Ronnie Kuerzi, Eng IV Spec-Ntwk Eng &

Ops

Cell (502) 780-2748
Ronald.Kuerzi@verizon.com
32. Windstream
111 S. Main Street
Elizabethtown, KY 42701

Windstream

Steve Johnson, Sr. Engineer OSP
130 W New Circle Road, Suite 170
Lexington, KY 40505

James Galvin
Office (270) 765-1818
Cell (270) 748-9249
James.Galvin@windstream.com

Steve Johnson, Sr. Engineer OSP

Office (859) 357-6209
Cell (859) 321-2035
Steve.Johnson@windstream.com
33. Zayo
9209 Castlegate Drive
Indianapolis, IN 46256

Jeff Beggs
Jeff.Beggs@zayo.com
765-655-3870

KYTC BMP Plan for Project CID 05 - 8856



Kentucky Transportation Cabinet

Highway District 5

And

_____ (2), Construction

Kentucky Pollutant Discharge Elimination System

Permit KYR10

Best Management Practices (BMP) plan

Groundwater protection plan

For Highway Construction Activities

For

Extend Existing Sound Barrier Wall on I-264 near Newburg
Road. Approximately 750' West.

Project: CID 05 – 80051.00

KYTC BMP Plan for Project CID 05 - 8856

Project information

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

1. Owner – **Kentucky Transportation Cabinet, District 5**
2. Resident Engineer: (2)
3. Contractor name: (2)
Address: (2)

Phone number: (2)
Contact: (2)
Contractors agent responsible for compliance with the KPDES permit requirements (3):
4. Project Control Number (2)
5. Route (Address): **I-264 WB Off Ramp (MP 2.35 (KY 1703) 14.7 (I-264))**
6. Latitude/Longitude (project mid-point): **38/12/08 N, 85/41/22 W**
7. County (project mid-point): **Jefferson**
8. Project start date (date work will begin): (2)
9. Projected completion date: (2)

KYTC BMP Plan for Project CID 05 - 8856

A. Site description:

1. Nature of Construction Activity (from letting project description): **To construct a lightweight sound barrier wall on top of an existing concrete barrier wall along the westbound I-264 exit ramp at Newburg Rd.**
2. Order of major soil disturbing activities (2) and (3)
3. Projected volume of material to be moved **Unknown Volume. Minimal.**
4. Estimate of total project area (acres): 0.15 **Acres**
5. Estimate of area to be disturbed (acres): **Minimal**
6. Post construction runoff coefficient will be included in the project drainage folder. Persons needing information pertaining to the runoff coefficient will contact the resident engineer to request this information.
7. Data describing existing soil condition: **Soil is not to be disturbed.** (2)
8. Data describing existing discharge water quality (if any): **None** (2)
9. Receiving water name **Tributary to South Fork Beargrass Creek**
10. TMDLs and Pollutants of Concern in Receiving Waters: (DEA)
11. Site map – Project layout sheet plus the erosion control sheets in the project plans that depict Disturbed Drainage Areas (DDAs) and related information. These sheets depict the existing project conditions with areas delineated by DDA (drainage area bounded by watershed breaks and right of way limits), the storm water discharge locations (either as a point discharge or as overland flow) and the areas that drain to each discharge point. These plans define the limits of areas to be disturbed and the location of control measures. Controls will be either site specific as designated by the designer or will be annotated by the contractor and resident engineer before disturbance commences. The project layout sheet shows the surface waters and wetlands.
12. Potential sources of pollutants:

KYTC BMP Plan for Project CID 05 - 8856

The primary source of pollutants is solids that are mobilized during storm events. Other sources of pollutants include oil/fuel/grease from servicing and operating construction equipment, concrete washout water, sanitary wastes and trash/debris. (3)

B. Sediment and Erosion Control Measures:

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

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

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

KYTC BMP Plan for Project CID 05 - 8856

Areas that are a source of pollutants will receive appropriate cover or BMPs to arrest the introduction of pollutants into storm water. Areas that have not been opened by the contractor will be inspected periodically (once per month) to determine if there is a need to employ BMPs to keep pollutants from entering storm water.

- Clearing and Grubbing – The following BMP's will be considered and used where appropriate.
 - Leaving areas undisturbed when possible.
 - Silt basins to provide silt volume for large areas.
 - Silt Traps Type A for small areas.
 - Silt Traps Type C in front of existing and drop inlets which are to be saved
 - Diversion ditches to catch sheet runoff and carry it to basins or traps or to divert it around areas to be disturbed.
 - Brush and/or other barriers to slow and/or divert runoff.
 - Silt fences to catch sheet runoff on short slopes. For longer slopes, multiple rows of silt fence may be considered.
 - Temporary Mulch for areas which are not feasible for the fore mentioned types of protections.
 - Non-standard or innovative methods.
- Cut & Fill and placement of drainage structures - The BMP Plan will be modified to show additional BMP's such as:
 - Silt Traps Type B in ditches and/or drainways as they are completed
 - Silt Traps Type C in front of pipes after they are placed
 - Channel Lining
 - Erosion Control Blanket
 - Temporary mulch and/or seeding for areas where construction activities will be ceased for 21 days or more.
 - Non-standard or innovative methods
- Profile and X-Section in place – The BMP Plan will be modified to show elimination of BMP's which had to be removed and the addition of new BMP's as the roadway was shaped. Probably changes include:
 - Silt Trap Type A, Brush and/or other barriers, Temporary Mulch, and any other BMP which had to be removed for final grading to take place.
 - Additional Silt Traps Type B and Type C to be placed as final drainage patterns are put in place.
 - Additional Channel Lining and/or Erosion Control Blanket.
 - Temporary Mulch for areas where Permanent Seeding and Protection cannot be done within 21 days.
 - Special BMP's such as Karst Policy

KYTC BMP Plan for Project CID 05 - 8856

- Finish Work (Paving, Seeding, Protect, etc.) – A final BMP Plan will result from modifications during this phase of construction. Probably changes include:
 - Removal of Silt Traps Type B from ditches and drainways if they are protected with other BMP's which are sufficient to control erosion, i.e. Erosion Control Blanket or Permanent Seeding and Protection on moderate grades.
 - Permanent Seeding and Protection
 - Placing Sod
 - Planting trees and/or shrubs where they are included in the project
- BMP's including Storm Water Management Devices such as velocity dissipation devices and Karst policy BMP's to be installed during construction to control the pollutants in storm water discharges that will occur after construction has been completed are: **Project does not include storm water BMPs or flow controls.**

C. Other Control Measures

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

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

3. Hazardous Waste

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

KYTC BMP Plan for Project CID 05 - 8856

4. Spill Prevention

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

➤ **Good Housekeeping:**

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

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

➤ **Hazardous Products:**

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

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

The following product-specific practices will be followed onsite:

➤ **Petroleum Products:**

KYTC BMP Plan for Project CID 05 - 8856

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

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

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

➤ **Fertilizers:**

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

➤ **Paints:**

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

➤ **Concrete Truck Washout:**

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

➤ **Spill Control Practices**

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

KYTC BMP Plan for Project CID 05 - 8856

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

D. Other State and Local Plans

This BMP plan shall include any requirements specified in sediment and erosion control plans, storm water management plans or permits that have been approved by other state or local officials. Upon submittal of the NOI, other requirements for surface water protection are incorporated by reference into and are enforceable under this permit (even if they are not specifically included in this BMP plan). This provision does not apply to master or comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit issued for the construction site by state or local officials.

E. Maintenance

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

KYTC BMP Plan for Project CID 05 - 8856

the purpose of post construction storm water management with specific guidance for any non-routine maintenance.

F. Inspections

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

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

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G. Non – Storm Water discharges

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

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

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

H. Groundwater Protection Plan (3)

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

- Contractors statement: (3)

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

_____ 2. (e) land treatment or land disposal of a pollutant;

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

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

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

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

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

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

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

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

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

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

Contractor and Resident Engineer Plan certification

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

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Further, this plan complies with the requirements of 401 KAR 5:037. By this certification, the undersigned state that the individuals signing the plan have reviewed the terms of the plan and will implement its provisions as they pertain to ground water protection.

Resident Engineer and Contractor Certification:

(2) Resident Engineer signature

(3) Signed _____ title _____,
 Typed or printed name¹ _____ signature _____

1. Contractors Note: to be signed by a person who is the owner, a responsible corporate officer, a general partner or the proprietor or a person designated to have the authority to sign reports by such a person in accordance with 401 KAR 5:060 Section 9. This delegation shall be in writing to: Manager, KPDES Branch, Division of Water, 14 Reilly Road, Frankfort Kentucky 40601. Reference the Project Control Number (PCN) and KPDES number when one has been issued.

2. KyTC note: to be signed by the Chief District Engineer or a person designated to have the authority to sign reports by such a person (usually the resident engineer) in accordance with 401 KAR 5:060 Section 9. This delegation shall be in writing to: Manager, KPDES Branch, Division of Water, 14 Reilly Road, Frankfort Kentucky 40601 Reference the Project Control Number (PCN) and KPDES number when one has been issued.

KYTC BMP Plan for Project CID 05 - 8856

Sub-Contractor Certification

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

Subcontractor

Name:
Address:
Address:

Phone:

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

I certify under penalty of law that I understand the terms and conditions of the general Kentucky Pollutant Discharge Elimination System permit that authorizes the storm water discharges, the BMP plan that has been developed to manage the quality of water to be discharged as a result of storm events associated with the construction site activity and management of non-storm water pollutant sources identified as part of this certification.

Signed _____ title _____, _____
Typed or printed name¹ signature

1. Sub Contractor Note: to be signed by a person who is the owner, a responsible corporate officer, a general partner or the proprietor or a person designated to have the authority to sign reports by such a person in accordance with 401 KAR 5:060 Section 9. This delegation shall be in writing to: Manager, KPDES Branch, Division of Water, 14 Reilly Road, Frankfort Kentucky 40601. Reference the Project Control Number (PCN) and KPDES number when one has been issued.

PART II

SPECIFICATIONS AND STANDARD DRAWINGS

SPECIFICATIONS REFERENCE

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

SPECIAL NOTE FOR PORTABLE CHANGEABLE MESSAGE SIGNS

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

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

2.0 MATERIALS.

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

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

2.2 Sign and Controls. All signs must:

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

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

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

*Insert numerals as directed by the Engineer.

Add other messages during the project when required by the Engineer.

2.3 Power.

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

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

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

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

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

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

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

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

<u>Code</u>	<u>Pay Item</u>	<u>Pay Unit</u>
02671	Portable Changeable Message Sign	Each

Effective June 15, 2012

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, 3 Fountain Place, Frankfort, Kentucky 40601; telephone (502) 564-7954.

Revised: January 27, 2017

Kentucky Equal Employment Opportunity Act of 1978

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

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

These forms are available on the Finance and Administration's web page under ***Vendor Information, Standard Attachments and General Terms*** at the following address:
<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 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	02562		TEMPORARY SIGNS	166.00	SQFT		\$	
0020	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0030	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		\$	
0040	05985		SEEDING AND PROTECTION	120.00	SQYD		\$	
0050	20257NC		SITE PREPARATION	1.00	LS		\$	
0060	24192EC		SOUND BARRIER WALL-WALL MOUNTED	7,187.00	SQFT		\$	

Section: 0002 - DEMOBILIZATION &/OR MOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0070	02569		DEMOBILIZATION	1.00	LS		\$	