



CALL NO. 329

CONTRACT ID. 211341

NELSON COUNTY

FED/STATE PROJECT NUMBER FD04 090 1360 000-001

DESCRIPTION CHAMBERS BOULEVARD (CS 1360)

WORK TYPE SIDEWALK CONSTRUCTION

PRIMARY COMPLETION DATE 8/1/2022

LETTING DATE: October 22,2021

Sealed Bids will be received electronically through the Bid Express bidding service until 10:00 am EASTERN DAYLIGHT TIME October 22,2021. Bids will be publicly announced at 10:00 am EASTERN DAYLIGHT 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 - 04

CONTRACT ID - 211341
FD04 090 1360 000-001
COUNTY - NELSON
PCN - DE09013602141
FD04 090 1360 000-001

CHAMBERS BOULEVARD (CS 1360) (MP 0.000) CONSTRUCT SIDEWALKS AND SAFETY IMPROVEMENET ALONG
AT KY 245 (MP 0.351), A DISTANCE OF 0.92 MILES.SIDEWALK CONSTRUCTION SYP NO. 04-09020.00.
GEOGRAPHIC COORDINATES LATITUDE 37:49:35.00 LONGITUDE 85:28:23.00

COMPLETION DATE(S):
COMPLETED BY 08/01/2022 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

ASPHALT MIXTURE

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

INCIDENTAL SURFACING

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

OPTION B

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

KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT OF WAY & UTILITIESTC 62-226
Rev. 01/2016
Page 1 of 1

RIGHT OF WAY CERTIFICATION

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Re-Certification	RIGHT OF WAY CERTIFICATION	
ITEM #	COUNTY	PROJECT # (STATE)	PROJECT # (FEDERAL)
4-9020	Nelson	FD04 090 1360 000-001	
PROJECT DESCRIPTION			
SIDEWALKS ALONG CHAMBERS AND SAFETY IMPROVEMENTS AT KY 245 AT BARDSTOWN PRIMARY. Nelson COUNTY CS-1360 From MP 0 to MP 0.351			
<input checked="" type="checkbox"/> No Additional Right of Way Required			
Construction will be within the limits of the existing right of way. The right of way was acquired in accordance to FHWA regulations under the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended. No additional right of way or relocation assistance were required for this project.			
<input type="checkbox"/> Condition # 1 (Additional Right of Way Required and Cleared)			
All necessary right of way, including control of access rights when applicable, have been acquired including legal and physical possession. Trial or appeal of cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right-of-way, but all occupants have vacated the lands and improvements, and KYTC has physical possession and the rights to remove, salvage, or demolish all improvements and enter on all land. Just Compensation has been paid or deposited with the court. All relocations have been relocated to decent, safe, and sanitary housing or that KYTC has made available to displaced persons adequate replacement housing in accordance with the provisions of the current FHWA directive.			
<input type="checkbox"/> Condition # 2 (Additional Right of Way Required with Exception)			
The right of way has not been fully acquired, the right to occupy and to use all rights-of-way required for the proper execution of the project has been acquired. Some parcels may be pending in court and on other parcels full legal possession has not been obtained, but right of entry has been obtained, the occupants of all lands and improvements have vacated, and KYTC has physical possession and right to remove, salvage, or demolish all improvements. Just Compensation has been paid or deposited with the court for most parcels. Just Compensation for all pending parcels will be paid or deposited with the court prior to AWARD of construction contract			
<input type="checkbox"/> Condition # 3 (Additional Right of Way Required with Exception)			
The acquisition or right of occupancy and use of a few remaining parcels are not complete and/or some parcels still have occupants. All remaining occupants have had replacement housing made available to them in accordance with 49 CFR 24.204. KYTC is hereby requesting authorization to advertise this project for bids and to proceed with bid letting even though the necessary right of way will not be fully acquired, and/or some occupants will not be relocated, and/or the just compensation will not be paid or deposited with the court for some parcels until after bid letting. KYTC will fully meet all the requirements outlined in 23 CFR 635.309(c)(3) and 49 CFR 24.102(j) and will expedite completion of all acquisitions, relocations, and full payments after bid letting and prior to AWARD of the construction contract or force account construction.			
Total Number of Parcels on Project	0	EXCEPTION (S) Parcel #	ANTICIPATED DATE OF POSSESSION WITH EXPLANATION
Number of Parcels That Have Been Acquired	0		
Signed Deed	0		
Condemnation	0		
Signed ROE	0		
Notes/ Comments (Use Additional Sheet if necessary)			
LPA RW Project Manager		Right of Way Supervisor	
Printed Name		Printed Name	Michael H. Price
Signature		Signature	2021.08.31
Date		Date	Michael H. Price 07:19:48 -04'00'
Right of Way Director		FHWA	
Printed Name		Printed Name	
Signature		Signature	
Date	Digitally signed by Kelly R. Divine Date: 2021.08.31 07:19:34 -05'00'	Date	

UTILITIES AND RAIL CERTIFICATION NOTE

Nelson County
No federal number available
No state project number available
Mile point: 0.000 TO 0.351
SIDEWALKS ALONG CHAMBERS AND SAFETY IMPROVEMENTS AT KY 245 AT BARDSTOWN PRIMARY.
(2020BOP)(2021SCHSAF)
ITEM NUMBER: 04-9020.00

PROJECT NOTES ON 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. The utility facilities as noted in the previous section(s) have been determined using data garnered by varied means and with varying degrees of accuracy: from the facility owners, a result of S.U.E., field inspections, and/or reviews of record drawings. The facilities defined may not be inclusive of all utilities in the project scope and are not Level A quality, unless specified as such. It is the contractor's responsibility to verify all utilities and their respective locations before excavating.

The contractor shall make every effort to protect underground facilities from damage as prescribed in the Underground Facility Damage Protection Act of 1994, Kentucky Revised Statute KRS 367.4901 to 367.4917. It is the contractor's responsibility to determine and take steps necessary to be in compliance with federal and state damage prevention directives. The contractor is instructed to contact KY 811 for the location of existing underground utilities. Contact shall be made a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor shall submit Excavation Locate Requests to the Kentucky Contact Center (KY 811) via web ticket entry. The submission of this request does not relieve the contractor from the responsibility of contacting non-member facility owners, whom are to be contacted through their individual Protection Notification Center. It may be necessary for the contractor to contact the County Court Clerk to determine what utility companies have facilities in the area. Non-compliance with these directives can result in the enforcement of penalties.

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

Louisville Gas and Electric Company – Electric -

City of Bardstown - Electric

City of Bardstown - Sewer

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Salt River Electric Cooperative Corp. - Electric

Louisville Gas & Electric - Natural Gas - It is anticipated new storm sewer lines will be in close proximity to a LGE 4 IN gas line at various locations, both parallel and for new perpendicular storm sewer and culvert pipe crossings under the gas lines. Also, gas services will be present within the construction zone. The Contractor shall use extreme care during install of all drainage installations to avoid any impacts to LGE facilities. The Contractor shall contact LGE at 48 hours prior to beginning excavation in accordance with applicable laws and regulations.

City of Bardstown - Water

North Nelson Water District - Water

Spectrum(Charter)Cable – CATV

AT&T - KY – Communication - It is anticipated new storm sewer lines will be in close proximity to a ATT fiber lines at various locations, both parallel and for new perpendicular storm sewer and culvert pipe crossings under the fiber lines. The Contractor shall use extreme care during install of all drainage installations to avoid any impacts to ATT facilities. The Contractor shall contact ATT at 48 hours prior to beginning excavation in accordance with applicable laws and regulations.

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

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

Not Applicable

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

City of Bardstown - Water - Water Services: Individual water services (including meter vaults) are likely to require minor adjustments. The Contractor shall contact the City of Bardstown to arrange for any

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location services at least 48 hours prior to beginning excavation. The Contractor shall be required to uncover the services and the City will adjust as required to eliminate any conflicts.

City of Bardstown - Sewer - Sanitary Sewers: No conflicts are anticipated. The Contractor shall contact the City of Bardstown to arrange for any location services at least 48 hours prior to beginning excavation.

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

City of Bardstown - Electric - Electrical Services: An existing electrical service in the northwest quadrant of the Templin Avenue (KY 1430) and Chambers Blvd. are expected to be impacted. The Contractor shall contact the City of Bardstown to arrange for any location services at least 48 hours prior to beginning excavation. The Contractor shall be responsible for all work necessary adjust the electrical service and return it to operational status per applicable electrical codes and regulations. The Contractor will coordinate with the City and the property owner to arrange for any outages required in order to make the necessary adjustments. All adjusts and coordination required shall be incidental to the bid item for Relocate Under Ground Electric.

City of Bardstown - Electric - Streetlights: Existing Street lights will need to be taken down and reset by the Contractor. The Contractor shall work with the City to determine exact locations for resetting the Street Lights. Contractor shall use extreme care during handling of the lights to avoid damage. The bid item for Relocate Light Pole shall include all items necessary to take down the lights, reset them in new locations, and return them to operational status per applicable electrical codes and regulations.

RAIL COMPANIES HAVE FACILITIES IN CONJUNCTION WITH THIS PROJECT AS NOTED

☒ **No Rail Involvement** ☐ **Rail Involved** ☐ **Rail Adjacent**

UTILITIES AND RAIL CERTIFICATION NOTE

Nelson County
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AREA FACILITY OWNER CONTACT LIST

Facility Owner	Address	Contact Name	Phone	Email
AT&T - KY - Communication	1340 E. John Rowan Blvd Bardstown KY 40004	Scott Roche	5023484528	sr8832@att.com
City of Bardstown - Electric	220 N Fifth St Bardstown Ky 40004	Eric Richter	5023485947	erichter@bardstowncable.net
City of Bardstown - Sewer	220 N. Fifth ST. Bardstown KY 40004	Jessica Filiatreau	5023485947	jhfiliatreau@bardstowncable.net
City of Bardstown - Water	220 N. Fifth ST. Bardstown KY 40004	Jessica Filiatreau	5023485947	jhfiliatreau@bardstowncable.net
Louisville Gas & Electric - Natural Gas	820 West Broadway Louisville KY 40202	Caroline Justice	5026273708	caroline.justice@lge-ku.com
Louisville Gas and Electric Company - Electric	P.O. Box 32020 Louisville KY 40202	Caroline Justice	5026273708	Caroline.Justice@lge-ku.com
North Nelson Water District - Water	5555 Louisville Road Cox's Creek KY 40013	Cole Cissell	5023488342	Northnelsonwaterdistrict@yahoo.com

UTILITIES AND RAIL CERTIFICATION NOTE

<p>Nelson County</p> <p>No federal number available</p> <p>No state project number available</p> <p>Mile point: 0.000 TO 0.351</p> <p>SIDEWALKS ALONG CHAMBERS AND SAFETY IMPROVEMENTS AT KY 245 AT BARDSTOWN PRIMARY.</p> <p>(2020BOP)(2021SCHSAF)</p> <p>ITEM NUMBER: 04-9020.00</p>
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Salt River Electric Cooperative Corp. - Electric	2230 Parkway Drive. Bardstown ky 40004	Daniel Carrico	5023737730	dcarrico@srelectric.com
Spectrum(Charter)Cable - CATV	10168 Linn Station Rd. Louisville KY 40223	Kevin Mercer	5028175055	kevin.mercer@charter.com

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/***() 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 $1\frac{1}{2}$ 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

211341

PROPOSAL BID ITEMS

Report Date 9/22/21

Page 1 of 2

Section: 0001 - ROADWAY

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0010	00003		CRUSHED STONE BASE	537.00	TON		\$	
0020	00190		LEVELING & WEDGING PG64-22	27.00	TON		\$	
0030	00221		CL2 ASPH BASE 0.75D PG64-22	8.00	TON		\$	
0040	00356		ASPHALT MATERIAL FOR TACK	2.40	TON		\$	
0050	00388		CL3 ASPH SURF 0.38B PG64-22	380.00	TON		\$	
0060	01810		STANDARD CURB AND GUTTER	1,513.00	LF		\$	
0070	01812		REMOVE CURB AND GUTTER	25.00	LF		\$	
0080	02110		PARTIAL DEPTH PATCHING CONCRETE PATCHING	32.00	CUFT		\$	
0090	02230		EMBANKMENT IN PLACE	516.00	CUYD		\$	
0100	02242		WATER	.50	MGAL		\$	
0110	02545		CLEARING AND GRUBBING (0.30 ACRES)	1.00	LS		\$	
0120	02562		TEMPORARY SIGNS	260.00	SQFT		\$	
0130	02603		FABRIC-GEOTEXTILE CLASS 2	2,000.00	SQYD		\$	
0140	02650		MAINTAIN & CONTROL TRAFFIC	1.00	LS		\$	
0150	02671		PORTABLE CHANGEABLE MESSAGE SIGN	2.00	EACH		\$	
0160	02676		MOBILIZATION FOR MILL & TEXT	1.00	LS		\$	
0170	02677		ASPHALT PAVE MILLING & TEXTURING	380.00	TON		\$	
0180	02720		SIDEWALK-4 IN CONCRETE	836.00	SQYD		\$	
0190	02721		REMOVE CONCRETE SIDEWALK	270.00	SQYD		\$	
0200	02726		STAKING	1.00	LS		\$	
0210	04793		CONDUIT-1 1/4 IN	80.00	LF		\$	
0220	04795		CONDUIT-2 IN	80.00	LF		\$	
0230	04810		ELECTRICAL JUNCTION BOX	3.00	EACH		\$	
0240	04820		TRENCHING AND BACKFILLING	180.00	LF		\$	
0250	04830		LOOP WIRE	1,100.00	LF		\$	
0260	04844		CABLE-NO. 14/5C	200.00	LF		\$	
0270	04850		CABLE-NO. 14/1 PAIR	22.00	LF		\$	
0280	04895		LOOP SAW SLOT AND FILL	600.00	LF		\$	
0290	05950		EROSION CONTROL BLANKET	556.00	SQYD		\$	
0300	05985		SEEDING AND PROTECTION	556.00	SQYD		\$	
0310	06514		PAVE STRIPING-PERM PAINT-4 IN	5,500.00	LF		\$	
0320	06565		PAVE MARKING-THERMO X-WALK-6 IN	201.00	LF		\$	
0330	06567		PAVE MARKING-THERMO STOP BAR-12IN	43.00	LF		\$	
0340	06574		PAVE MARKING-THERMO CURV ARROW	2.00	EACH		\$	
0350	16064		G VALVE BOX ADJUST	1.00	EACH		\$	
0360	20093NS835		INSTALL PEDESTRIAN HEAD-LED	4.00	EACH		\$	
0370	20418ED		REMOVE & RELOCATE SIGNS	1.00	EACH		\$	
0380	21743NN		INSTALL PEDESTRIAN DETECTOR	4.00	EACH		\$	
0390	23143ED		KPDES PERMIT AND TEMP EROSION CONTROL	1.00	LS		\$	
0400	23158ES505		DETECTABLE WARNINGS	102.00	SQFT		\$	
0410	23216EC		REMOVE AND REINSTALL JUNCTION BOX (RELOCATE/ADJUST EXISTING)	1.00	EACH		\$	
0420	23749EC		PEDESTRIAN SIGNAL PEDESTAL	1.00	EACH		\$	
0430	23763EC		ADJUST LIGHT POLE BASE RELOCATE LIGHT POLE	3.00	EACH		\$	

Report Date 9/22/21

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0440	23837EC		RELOCATE UNDERGROUND ELECTRIC	50.00	LF		\$	
0450	24680ED		REMOVE & REINSTALL PED SIGNAL	1.00	EACH		\$	

Section: 0002 - DRAINAGE

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0460	00520		STORM SEWER PIPE-12 IN	64.00	LF		\$	
0470	00521		STORM SEWER PIPE-15 IN	336.00	LF		\$	
0480	00522		STORM SEWER PIPE-18 IN	228.00	LF		\$	
0490	00524		STORM SEWER PIPE-24 IN	14.00	LF		\$	
0500	00529		STORM SEWER PIPE-42 IN	8.00	LF		\$	
0510	01214		PIPE CULVERT HEADWALL-42 IN	1.00	EACH		\$	
0520	01310		REMOVE PIPE	35.00	LF		\$	
0530	01390		METAL END SECTION TY 3-15 IN	2.00	EACH		\$	
0540	01487		CURB BOX INLET TYPE F	9.00	EACH		\$	
0550	01544		DROP BOX INLET TYPE 11	6.00	EACH		\$	
0560	01706		REMOVE CATCH BASIN	2.00	EACH		\$	
0570	01726		SAFETY BOX INLET-18 IN SDB-1	2.00	EACH		\$	
0580	02607		FABRIC-GEOTEXTILE CLASS 2 FOR PIPE	952.00	SQYD		\$	
0590	02625		REMOVE HEADWALL	2.00	EACH		\$	
0600	23628EC		CORED HOLE DRAINAGE CONN TO HEADWALL	2.00	EACH		\$	
0610	23794EC		CONNECT TO STORM SEWER STRUCTURE	1.00	EACH		\$	
0620	24882EC		MSD CATCH BASIN TYPE 1	1.00	EACH		\$	

Section: 0003 - DEMOBILIZATION &/OR MOBILIZATION

LINE	BID CODE	ALT	DESCRIPTION	QUANTITY	UNIT	UNIT PRIC	FP	AMOUNT
0630	02569		DEMOBILIZATION	1.00	LS		\$	